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No. 21]

NEW DELHI, SATURDAY, MAY 22, 1976/JYAISTHA 1, 1898

इस भाग में बिम्ब पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके

Separate paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

(रक्षा मंत्रालय को छोड़कर) भारत सरकार के मंत्रालयों और (संघ राज्य क्षेत्र प्रशासनों को छोड़कर)

केंद्रीय प्राधिकारियों द्वारा जारी किये गए सांविधिक आदेश और अधिसूचनाएँ

Statutory orders and notifications issued by the Ministries of the Government of India

(other than the Ministry of Defence) by Central Authorities

(other than the Administrations of Union Territories)

MINISTRY OF FINANCE

(Department of Economic Affairs)

CORRIGENDUM

New Delhi, the 26th April, 1976

INSURANCE

S.O. 1676.—In the General Insurance (Rationalisation and Revision of Pay Scales and other Conditions of Service of Supervisory, Clerical and Subordinate Staff) Second Amendment Scheme, 1974 published as S.O. 5415 dated 22-12-1975 appearing at pp 4422-23 in Part II Section 3, Sub-Section (ii) of the Gazette of India dated 27-12-1975 in the heading of paragraph 13A as inserted, for the word "acquired" the word "accrued" shall be substituted.

[F. No. 65(8)Ins. III/15A/74]

R. D. KHANWALKAR, Under Secy.

वित्त मंत्रालय

(राजस्व और बीमा विभाग)

नई दिल्ली, 8 मार्च 1976

भाय-कर

क्र० प्रा० 1677.—प्रवर्तनाभरण की जानकारी के लिए यह अधिसूचित किया जाता है कि निम्नलिखित संख्या को विहित प्राधिकारी, भारतीय चिकित्सा अनुसंधान परिषद् द्वारा भाय-कर अधिनियम, 1961 की धारा 35 की उपधारा (i) के खण्ड (ii) के प्रयोजनार्थ केवल अनुसंधान के प्रयोजन के लिए अनुमोदित किया गया है।

मस्थान, अपने अनुसंधान क्रियाकलापों की बाबत वार्षिक रिपोर्ट और विवरणी भारतीय चिकित्सा अनुसंधान परिषद् को प्रस्तुत करेगा।

संस्था

शेरे-कश्मीर, नेशनल मेडिकल इन्स्टीट्यूट ट्रस्ट, श्रीनगर,

यह अधिसूचना, इस अधिसूचना की तारीख से दो वर्ष की अवधि के लिए प्रभावी है।

[सं० 1249 (फा० सं० 203/34/76-आई०टी०ए०II)]

टी० पी० ज़ुनज़ुनवाला, उप-मन्त्रि

(Department of Revenue and Insurance)

New Delhi, the 8th March, 1976

INCOME TAX

SO. 1677.—It is hereby notified for general information that the institution mentioned below has been approved by Indian Council of Medical Research, the prescribed authority for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961, for research purposes only. The Institute will submit annual reports and returns about its research activities to the Indian Council of Medical Research.

INSTITUTION

Sher-I-Kashmir National Medical Institute Trust, Srinagar

This notification is effective for a period of two years from the date of this notification.

[No. 1249 (F. No. 203/34/76-ITA.II)]

T. P. JHUNJHUNWALA, Dy. Secy.

राजस्व और बैंकारी विभाग

नई दिल्ली, 28 मार्च 1976

आय-कर

का० प्रा० 1678.—केन्द्रीय सरकार, आय-कर अधिनियम, 1961 (1961 का 43) की धारा 80छ की उपधारा 2(ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, कंजीरापल्ली श्री गणपतियार किओल और सास्था किओल कंजीरापल्ली कट्टायम जिला, केरल राज्य का उक्त धारा के प्रयोजनों के लिए केरल राज्य में सर्वत्र विख्यात लोक पूजा का स्थान अधिसूचित करती है।

[सं० 1264 (का० सं० 176/18/76-आई० टी० ए० I)]

(Department of Revenue & Banking)

New Delhi, the 28th March, 1976

(INCOME-TAX)

S.O. 1678.—In exercise of the powers conferred by sub-section (2)(B) of Section 80G of the Income-tax Act, 1961 (43 of 1961) the Central Government hereby notifies the Kanjirappalli Sri Ganapathiar Kiol and Sastha Koil, Kanjirappalli, Kottayam District, Kerala State to be a place of public worship of renown throughout the State of Kerala for the purposes of the said section.

[No. 1264 (F. No. 176/18/76-IT/AI)]

का० प्रा० 1679.—केन्द्रीय सरकार, आय-कर अधिनियम, 1961 (1961 का 43) की धारा 80छ की उपधारा 2(ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, श्री समेश शिखरजी तीर्थ, पारसनाथ को उक्त धारा के प्रयोजनों के लिए बिहार राज्य में सर्वत्र लोक पूजा का स्थान अधिसूचित करती है।

[सं० 1265 (का० सं० 176/84/75-आई० टी० ए० I)]

S.O. 1679.—In exercise of the powers conferred by sub-section (2) (b) of Section 80G of the Income-Tax Act, 1961 (43 of 1961) the Central Government hereby notifies Shree Samed Shikharjee Tirath, Parasnath to be a place of public worship of renown throughout the State of Bihar for purposes of the said section.

[No. 1265 (F. No. 176/84/75-IT/AI)]

का० प्रा० 1680.—केन्द्रीय सरकार, आय-कर अधिनियम, 1961 (1961 का 43) की धारा 80छ की उपधारा 2(ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, अरुलमिगुल लक्ष्मीनारसिम्हस्वामी देवस्थानम्, खेसिपुर, उत्तरी आर्काट जिला को उक्त धारा के प्रयोजनों के लिए तमिलनाडु में सर्वत्र विख्यात लोक पूजा का स्थान अधिसूचित करती है।

[सं० 1266 (का० सं० 176/20/76-आई० टी० ए० I)]

एम शास्त्री, अवर सचिव

S.O. 1680.—In exercise of the powers conferred by sub-section (2)(b) of Section 80G of the Income-tax Act, 1961 (43 of 1961) the Central Government hereby notifies Arulmigu Lakshminarasimhaswamy Devasthanam, Sholinghur, North Arcot District to be a place of public worship of renown throughout the State of Tamil Nadu for the purposes of the said section.

[No. 1266 (F. No. 176/20/76-IT/AI)]

M. SHASTRI, Under Secy.

(बैंकिंग पक्ष)

नई दिल्ली, 21 अप्रैल, 1976

का० प्रा० 1681.—भारतीय स्टेट बैंक अधिनियम, 1955 (1955 का 23) की धारा 35 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत सरकार, रिजर्व बैंक की सलाह पर, एतद्वारा भारतीय स्टेट बैंक को 19 अप्रैल, 1977 से 18 अप्रैल, 1978 तक (दोनों दिन शामिल हैं) एक वर्ष की आगामी अवधि के लिए, उपर्युक्त अधिनियम की धारा 34 की उपधारा (1) के खण्ड (क) और (ग) के उपबन्धों में उस सीमा तक छूट प्रदान करती है जहां तक कि वे भारतीय स्टेट बैंक को निम्नलिखित से निवारित करते हैं अर्थात्—

- (i) केन्द्रीय सरकार के 1974 के एक आदेश द्वारा उपर्युक्त धारा 35 की उपधारा (2) के अन्तर्गत स्वीकृत भारतीय स्टेट बैंक द्वारा 'दी कृष्णराम बलदेव बैंक लिमिटेड' के कारोबार के अधिग्रहण की शर्तों और निबन्धनों के अनुसार 'दी कृष्णराम बलदेव बैंक लिमिटेड' द्वारा अचल सम्पत्ति को जमानत पर दिये गये और भारतीय स्टेट बैंक द्वारा अधिगृहीत अधिमों को जारी रखना अथवा वसूल करना; और
- (ii) जिस अचल सम्पत्ति की जमानत पर, उपर्युक्त अधिनियम दिये गये हैं, ऐसे और अधिम वेना जिन्हें भारतीय स्टेट बैंक 'दी कृष्णराम बलदेव बैंक लिमिटेड' द्वारा दिये गये अधिमों की वसूली सुनिश्चित करने अथवा उसे सुविधाजनक बनाने के लिये आवश्यक या उपयुक्त समझे और ऐसे आगामी अधिमों को वसूल करना।

[सं० 17(6)-बी० प्रो० III 76]

मे० भा० उमगांवकर, अवर सचिव

(Banking Wing)

New Delhi, the 21st April, 1976

S.O. 1681.—In exercise of the powers conferred by sub-section (7) of section 35 of the State Bank of India Act, 1955 (23 of 1955), the Central Government, in consultation with the Reserve Bank, hereby exempts the State Bank of India for a further period of one year from 19th April, 1977 to the 18th April, 1978 both days inclusive, from the provisions of clauses (A) and (C) of sub-section (1) of section 34 of the said Act, in so far as they preclude the State Bank of India from :—

- (i) continuing or realising the advances against the security of immovable property made by the Krishnaram Baldeo Bank Ltd., and taken over by the State Bank of India under the terms and conditions of acquisition by the State Bank of India of the business of the Krishnaram Baldeo Bank Ltd., sanctioned under sub-section (2) of the said section 35 by the Central Government by an order of 1974; and

- (ii) making against the security of immovable property against which the advances referred to above have been made, such further advances as the State Bank of India may consider necessary or expedient for ensuring or facilitating the recovery of the advances made by the Krishnamam Baldeo Bank Ltd., and realising such further advances.

[No. 17(6)-B. O. III/76]

M. B. USGAONKAR, Under Secy.

नई दिल्ली, 5 मई, 1976

क्र० आ० 1682.—राज्य वित्तीय निगम अधिनियम, 1951 (1951 का 63) की धारा 46 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा यह निदेश देती है कि —

(क) उक्त अधिनियम की धारा 4 क के उपबन्ध तमिलनाडु इन्डस्ट्रियल इन्वेस्टमेंट कॉर्पोरेशन लिमिटेड, मद्रास पर लागू होंगे, और

(ख) कम्पनी अधिनियम, 1956 (1956 का 1) की धारा 81, 88 और 207 के उपबन्ध का कार्यपालन, जो उक्त निगम द्वारा जारी किये गये विशेष वर्ग के शेयरों के जारी होने के बारे में पाबंदी से संबंधित है, निलम्बित रखा जाएगा।

[संख्या एफ० 11-50/75-आई० एफ० II]

श्रीमती नलिनी एम० के० मेनन, उप सचिव

New Delhi, the 5th May, 1976

S.O. 1682.—In exercise of the powers conferred by section 46 of the State Financial Corporation Act, 1951 (63 of 1951) the Central Government hereby directs that—

- (a) the provisions of section 4A of the said Act shall apply to the Tamil Nadu Industrial Investment Corporation Limited, Madras; and
- (b) the operation of the provisions of sections 81, 88 and 207 of the Companies Act, 1956 (I of 1956) relating to the restrictions in regard to the issue of special class of shares by the said Corporation shall be suspended.

[F. No. 11-50/75-IF.II]

MRS NALINI M. K. MENON, Dy. Secy.

व्यय विभाग

(रक्षा प्रभाग)

नई दिल्ली, 22 मिनम्बर, 1975

क्र० आ० 1683.—राष्ट्रपति, संविधान के अनुच्छेद के 309 परन्तु क द्वारा प्रदत्त शक्तियों और हम निमित्त उन्हें समर्थ बनाने वाली अन्य सभी शक्तियों का प्रयोग करते हुए, सिविल सेवा विनियम में श्री सशोधन करने के लिए निम्नलिखित विनियम बनाते हैं, अर्थात् —

1. (1) इन विनियमों का नाम सिविल सेवा (द्वितीय संशोधन) विनियम, 1975 है।

(2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।

2 सिविल सेवा विनियमों के अनुच्छेद 193 के स्थान पर निम्नलिखित अनुच्छेद रखा जाएगा, अर्थात् —

“193 (1) नियुक्ति प्राधिकारों के आदेश द्वारा निलम्बनाधीन या निलम्बनाधीन समझा गया अधिकारी निम्नलिखित सदाओं का हकदार होगा, अर्थात् —

(क) उस रकम के समतुल्य निर्वाह भत्ता जो सरकारी कर्मचारी का भर्त्ता प्रीमियम वेतन पर, फरवरी ऐसे छुट्टी वेतन के आधार पर अथवा भर्त्ता वेतन पर छुट्टी पर रहने पर छुट्टी वेतन के रूप में मिलती और उस के अनिवार्य महंगाई भत्ता, यदि ऐसे छुट्टी वेतन के आधार पर अनुज्ञेय हो।

परन्तु जहाँ निलम्बन की अवधि छह मास से अधिक है वहाँ— जिस प्राधिकारी ने निलम्बन का आदेश किया है या जिसके द्वारा आदेश किया गया समझा गया है, पहले छह मास की अवधि की पश्चात्तर्षी किसी अवधि के लिए निर्वाह भत्ते की राशि में निम्नानुसार फेरफार करने के लिए सक्षम होगा—

(1) यदि उक्त प्राधिकारी की राय में निलम्बन की अवधि ऐसे कारणों से, जो लेखबद्ध किए जाएंगे, दीर्घकालीन हो गई है, जिनके लिए प्रत्यक्ष रूप से सरकारी सेवक उत्तरवायी नहीं माना जा सकता तो निर्वाह भत्ते की रकम एक उपयुक्त राशि से, जो पहले छह मास की अवधि के दौरान अनुज्ञेय भत्ते के 50 प्रतिशत से अधिक न हो, बढ़ा दी जा सकती है;

(ii) यदि उक्त प्राधिकारी की राय में, निलम्बन की अवधि ऐसे कारणों से, जो लेखबद्ध किए जाएंगे, दीर्घकालीन हो गई है, जिनके लिए प्रत्यक्ष रूप से सरकारी सेवक ही उत्तरवायी माना जा सकता है, तो निर्वाह भत्ते की राशि में उपयुक्त रकम जो पहले छह मास की अवधि के दौरान अनुज्ञेय निर्वाह भत्ते के 50 प्रतिशत से अधिक न हो, घटा दी जाएगी

परन्तु सम्बन्धित सरकारी सेवक को प्रस्तावित कटौती के विरुद्ध अपना अभिवेदन देने का अवसर दिए जाने के पश्चात् और उसके द्वारा प्रस्तुत अभिवेदन पर, यदि कोई है, विचार करने के पश्चात् के विवाय, इस खण्ड के अधीन कोई आदेश नहीं किया जाएगा, और पैरा (i) या पैरा (ii) के अधीन आदेश किए जाने की स्थिति में, महंगाई भत्ते की दरें ऐसे आदेश के अधीन अनुज्ञेय निर्वाह भत्ते की, यथास्थिति, बढ़ी हुई या घटी हुई रकम पर आधारित होगी।

(ख) उस वेतन के आधार पर, जो सरकारी सेवक, उस तारीख को प्राप्त कर रहा है जिसको उसे निलम्बित किया जाता है या निलम्बनाधीन किया गया समझा जाता है, समय-समय पर सरकारी सेवक को अनुज्ञेय अन्य कोई प्रतिकरान्मक भत्ता, जो ऐसा भत्ता प्राप्त करने के लिए अधिकृत अन्य शर्तों को पूरा करने के अधीन होगा।

(2) खण्ड (1) के अधीन तब तक कोई सवाय नहीं किया जाएगा जब तक सरकारी सेवक हम आशय की घोषणा प्रस्तुत नहीं करता कि उसने ऐसी अवधि के दौरान, कार्य अन्य रोजगार, कारबार, भुक्ति या व्यवसाय नहीं किया है।

परन्तु पदस्थित किए गए, हटाए गए या अनिवार्यतः सेवानिवृत्त किए गए ऐसे सरकारी सेवक की दशा में, जिसे केन्द्रीय सिविल सेवा वर्गीकरण,

निवृत्त और अपील) नियम, 1965 के नियम 10 के उपनियम (3) या उपनियम (4) के अधीन ऐसी पदव्युत्ति या हटाए जाने या अनिवार्य सेवा-निवृत्ति की तारीख से निलम्बनाधीन रखा गया समझा गया है या जो निलम्बनाधीन बना रहा है और जिसने ऐसी अवधि या अवधियों के दौरान, जब उसे निलम्बनाधीन रखा गया समझा गया है या निलम्बनाधीन बना रहा है, उसने कोई अन्य रोजगार, कारबार, वृत्ति या व्यवसाय किया है तो वह उस रकम के बराबर निर्वाह भत्ता और अन्य भत्तों का हकदार होगा, जिससे यथास्थिति, ऐसी अवधि या अवधियों के दौरान ऐसे रोजगार, कारबार, वृत्ति या व्यवसाय से उसकी आय उस निर्वाह भत्ते और अन्य भत्तों से कम ठहरती है जो उसे खण्ड (1) के अधीन अन्यथा अनुज्ञेय होता और जहाँ उसे अनुज्ञेय निर्वाह भत्ता और अन्य भत्ते, उसके द्वारा अर्जित रकम के बराबर हैं या उससे कम हैं तो इस परन्तुक में की कोई भी बात उसे लागू नहीं होगी।

3. (क) जब कोई सरकारी सेवक, जिसे पदव्युत्ति किया गया हो, हटाया गया हो या अनिवार्य रूप से सेवा निवृत्त किया गया हो, अपील या पुनर्विलोकन के परिणामस्वरूप बहाल कर दिया जाता है या बहाल कर दिया जाता यदि वह पदव्युत्ति किए जाने, हटाए जाने या अनिवार्य रूप से सेवा-निवृत्ति के पूर्व निलम्बनाधीन रहने के दौरान अधिवर्षिता पर सेवा-निवृत्त न हो गया होता, तो उसकी बहाली का आदेश देने वाला सक्षम प्राधिकारी निम्नलिखित के बारे में विचार करेगा और विनिर्दिष्ट आदेश देगा :—

(i) सरकारी सेवक की, कर्तव्य से उसकी अनुपस्थिति की अवधि के लिए, जिसमें यथास्थिति उसकी पदव्युत्ति, हटाए जाने या अनिवार्य रूप से सेवा निवृत्ति से पहले की निलम्बन की अवधि भी आती है, दिए जाने वाला वेतन और भत्ते,

(ii) उक्त अवधि, कर्तव्य पर व्यतीत की गई अवधि मानी जाएगी या नहीं।

(ख) जहाँ बहाली का आदेश करने के लिए सक्षम प्राधिकारी की यह राय है कि कोई सरकारी सेवक, जिसे पदव्युत्ति कर दिया गया, हटा दिया गया या अनिवार्य रूप से सेवा-निवृत्त कर दिया गया, पूर्णतया क्षम्य कर दिया गया है, वहाँ सरकारी सेवक को, उपखण्ड (च) के उपबन्धों के अधीन रहते हुए, उतने पूरे वेतन और भत्तों का सहाय किया जाएगा, जिनका वह हकदार होता यदि वह, यथास्थिति पदव्युत्ति नहीं किया गया होता, हटाया नहीं गया होता या अनिवार्य रूप से सेवा निवृत्त नहीं किया गया होता, अथवा यथास्थिति ऐसी पदव्युत्ति, हटाए जाने या अनिवार्य रूप से सेवा निवृत्ति से पहले निलम्बित नहीं किया गया होता।

परन्तु जहाँ ऐसे प्राधिकारी की यह राय है कि सरकारी सेवक के विरुद्ध सस्थित की गई कार्यवाहियों की समाप्ति में विलम्ब ऐसे कारण से हुआ था जिनके लिए सरकारी सेवक ही प्रत्यक्ष रूप से उत्तरदायी है, तो वह उसे अभिवेदन करने का अवसर देने के पश्चात् और उसके द्वारा किए गए अभिवेदन पर, यदि कोई दिया गया हो, विचार करने के पश्चात्, ऐसे कारणों से, जो लेखबद्ध किए जाएंगे, यह निवेश कर सकता है कि सरकारी सेवक को, उपखण्ड (छ) के उपबन्धों के अधीन रहते हुए, ऐसे विलम्ब की अवधि के लिए, ऐसे वेतन और भत्तों की अनुपातित रकम का, जितनी वह अवधारित करे, सहाय किया जाए।

(ग) उपखण्ड (ख) के अधीन आने वाले मामले में, कर्तव्य से अनुपस्थिति की अवधि, जिसमें यथास्थिति, पदव्युत्ति हटाए जाने या अनिवार्य रूप से सेवानिवृत्ति से पूर्ववर्ती निलम्बन की अवधि, भी आती है, सभी प्रयोजनों के लिए कर्तव्य पर व्यतीत की गई अवधि मानी जाएगी।

(घ) उपखण्ड (ख) के अधीन आने वाले मामले से विभिन्न मामलों से (जिनमें ऐसे मामले भी आते हैं, जिनमें सेवा से पदव्युत्ति, हटाए जाने या अनिवार्य रूप से सेवा निवृत्ति का आदेश, केन्द्रीय सिविल सेवा (वर्गीकरण, नियंत्रण और अपील) नियम, 1965 के उपबन्धों का अनुपालन न किए जाने मात्र के आधार पर अपील या पुनर्विलोकन प्राधिकारी द्वारा अग्रस्त किया जाता है तथा और कोई जांच कराना प्रस्थापित नहीं है, सरकारी सेवक को, उपखण्ड (च) और (छ) के उपबन्धों के अधीन रहते हुए, ऐसे पूरे वेतन और भत्तों की, जिनका वह हकदार होता, यदि वह, यथास्थिति, पदव्युत्ति नहीं होता, हटाया नहीं गया होता या अनिवार्य रूप से सेवानिवृत्त नहीं किया गया होता अथवा ऐसी पदव्युत्ति, हटाए जाने या अनिवार्य रूप से सेवानिवृत्ति से पूर्व निलम्बित नहीं किया गया होता, अनुपातित उतनी रकम का सहाय किया जाएगा जितना बहाली का आदेश करने के लिए सक्षम प्राधिकारी, सरकारी सेवक को प्रस्थापित माला के बारे में सूचना देने के पश्चात् और ऐसी अवधि के भीतर जो सूचना में विनिर्दिष्ट की जाए, उस सम्बन्ध में उसके द्वारा प्रस्तुत अभिवेदन पर, यदि कोई हो, विचार करने के पश्चात् अवधारित करे।

परन्तु सरकारी सेवक को इस उपखण्ड के अधीन कोई सहाय, यथास्थिति, उस तारीख से ठीक पहले, जिसको अपील प्राधिकारी या पुनर्विलोकन प्राधिकारी द्वारा सरकारी सेवक के बहाली के लिए आदेश पारित किए जाते हैं या ऐसे सरकारी सेवक की अधिवर्षिता पर निवृत्ति की तारीख से ठीक पहले तीन वर्ष की अवधि तक निबन्धित होगा।

(ङ) उपखण्ड (घ) के अधीन आने वाले मामलों में, कर्तव्य से अनुपस्थिति की अवधि, जिसमें, यथास्थिति, उसकी पदव्युत्ति, हटाए जाने या अनिवार्य रूप से सेवानिवृत्ति से पूर्व की अवधि भी आती है, कर्तव्य पर व्यतीत की गई अवधि तब तक नहीं मानी जाएगी, जब तक सक्षम प्राधिकारी विनिर्दिष्ट रूप से यह निदेश न करे कि किसी विनिर्दिष्ट प्रयोजन के लिए वह इस प्रकार मानी जाएगी।

परन्तु यदि सरकारी सेवक ऐसी बाँछा करता है, ऐसा प्राधिकारी यह निदेश कर सकता है कि कर्तव्य से अनुपस्थिति की अवधि को, जिसमें यथास्थिति, पदव्युत्ति, हटाए जाने या अनिवार्य रूप से सेवानिवृत्ति से पूर्ववर्ती निलम्बन की अवधि भी आती है, सरकारी सेवक को शीघ्र और अनुज्ञेय किसी प्रकार की छुट्टी में परिवर्तित कर दिया जाए।

स्पष्टीकरण—पूर्ववर्ती परन्तुक के अधीन सक्षम प्राधिकारी द्वारा किया गया आदेश अन्तिम होगा और निम्नलिखित के लिए जाने के लिए कोई उच्चतर संजुरी आवश्यक नहीं होगी—

(i) अस्थायी सरकारी सेवक के मामले में तीन मास से अधिक की अवधि के लिए असाधारण छुट्टी और,

(ii) स्थायी या स्थायीवत् सरकारी सेवक के मामले में पांच वर्ष से अधिक की किसी प्रकार की छुट्टी।

(च) उपखण्ड (ख) या उपखण्ड (घ) के अधीन भत्तों का सहाय ऐसी सभी अन्य भत्तों के अधीन रहते हुए, होगा, जिनके अधीन ऐसे भत्ते अनुज्ञेय हैं।

(छ) उपखण्ड (ख) के परन्तुक या उपखण्ड (घ) के अधीन अवधारित पूरे वेतन और भत्तों की रकम अनुपातित खण्ड (1) के अधीन अनुज्ञेय निर्वाह भत्तों और अन्य भत्तों से कम नहीं होगी।

(ज) सरकारी सेवक को उसकी बहाली पर इस खण्ड के अधीन किया गया कोई सहाय, पदव्युत्ति हटाए जाने या अनिवार्य रूप से सेवानिवृत्ति की तारीख या यथास्थिति, ऐसी पदव्युत्ति, हटाए जाने या अनिवार्य रूप से सेवा से पूर्व निलम्बन की कोई अवधि और बहाली की

तारीख से पूर्व की तारीख के बीच की अवधि के दौरान किसी राजगार कारबार, वृत्ति या व्यवसाय में नियोजन से उपाजित की गई रकम के, यदि कोई हो, समायोजन के अधीन रहत हुए होगा और जहां इस खण्ड के अधीन अनुज्ञेय उपलब्धियां किसी ऐसे रोजगार कारबार वृत्ति या व्यवसाय में नियोजन में ऐसी अवधि के दौरान उपाजित रकम के बराबर या उससे कम है, बड़ा सरकारी सेवक को कोई सदाय नहीं किया जाएगा।

(4) (क) जहां सरकारी सेवक की पदच्युति, हटाया जाना या अनिवार्य रूप से सेवानिवृत्ति न्यायालय द्वारा अपास्त की जाती है, और परिणामस्वरूप सरकारी सेवक, कोई और आज कराए बिना, बहाल किया जाता है, बड़ा ऐसे सरकारी सेवक को, कर्तव्य से अनुपस्थिति की अवधि इस संबंध में विद्यमान आदेशों के अनुसार विनियमित की जाएगी और सरकारी सेवक को न्यायालय के निर्देशों के अधीन रहते हुए, यदि कोई हो, उपखण्ड (ख) या उपखण्ड (ग) के उपबन्धों के अनुसार वेतन और भत्तों का सदाय किया जाएगा।

(ख) (1) जहां सरकारी सेवक की पदच्युति, हटाए जाने या अनिवार्य रूप से सेवानिवृत्ति को, केन्द्रीय सिविल सेवा (बर्गीकरण, नियतन और प्रपील) नियम, 1965 के उपबन्धों की अपेक्षाओं का अनुपालन न किए जाने मात्र के आधार पर किसी न्यायालय द्वारा अपास्त किया जाता है और जहां उस गुणागुण के आधार पर विमुक्त नहीं किया जाता है बड़ा सरकारी सेवक का खण्ड (3) के उपखण्ड (छ) के उपबन्धों के अधीन रहत हुए, उस पूरे वेतन और भत्तों की, जिसका वह हकदार होता यदि वह, पदच्युत नहीं किया जाता, हटाया नहीं जाता या अनिवार्य रूप से सेवानिवृत्त नहीं किया गया होता अथवा, यथास्थिति, ऐसी पदच्युति, हटाए जाने या अनिवार्य रूप से सेवानिवृत्ति से पूर्व निलम्बित नहीं किया गया होता, अनुपातत उतनी रकम का भुगतान किया जाएगा, जितनी सक्षम प्राधिकारी सरकारी सेवक को, प्रस्थापित मात्रा के बारे में सूचना देने के पश्चात्, और ऐसी अवधि के भीतर, जो सूचना में विनिर्दिष्ट की जाए, उस संबंध में उसके द्वारा प्रस्तुत अभिवेदन पर, यदि कोई हो, विचार करने के पश्चात् अवधारित करे

परन्तु सरकारी सेवक को, इस उपखण्ड के अधीन कोई सदाय, यथास्थिति, उस तारीख से जिसको न्यायालय ने निर्णय पारित किया था, या ऐसे सरकारी सेवक की अधिवर्षिता पर सेवानिवृत्ति की तारीख से ठीक पूर्ववर्ती तीन वर्ष की अवधि तक निर्बन्धित होगा।

(2) पैरा (1) के अधीन आने वाले मामले में, पदच्युति, हटाए जाने या अनिवार्य रूप से सेवा निवृत्ति की तारीख, जिसमें यथास्थिति, हटाए जाने या अनिवार्य रूप से सेवानिवृत्ति से पूर्ववर्ती निलम्बन की अवधि भी आती है, और बहाली की तारीख से पूर्ववर्ती तारीख की मध्यवर्ती अवधि खण्ड (3) के उपखण्ड (ड) में के उपबन्धों के अनुसार विनियमित की जाएगी।

(ग) यदि सरकारी सेवक की पदच्युति, हटाया जाना या अनिवार्य रूप से सेवा निवृत्ति, मामले के गुणागुण के आधार पर न्यायालय द्वारा अपास्त की जाती है तो पदच्युति, हटाए जाने या अनिवार्य रूप से सेवानिवृत्ति की तारीख, जिस में, यथास्थिति, ऐसी पदच्युति, हटाया जाना या अनिवार्य रूप से सेवानिवृत्ति से पूर्ववर्ती निलम्बन की अवधि, भी आती है, और बहाली की तारीख से पूर्ववर्ती तारीख की मध्यवर्ती अवधि, सभी प्रयोजनों के लिए कर्तव्य पर व्यतीत की गई अवधि मानी जाएगी और उक्त अवधि के लिए उस पूरे वेतन और भत्ता का सदाय किया जाएगा, जिसका वह हकदार होता, यदि वह, यथास्थिति, पदच्युत नहीं किया गया होता, हटाया नहीं गया होता या अनिवार्य रूप से सेवानिवृत्त नहीं किया गया होता अथवा, यथास्थिति, ऐसी पदच्युति, हटाए जाने या अनिवार्य रूप से सेवानिवृत्ति से पूर्व निलम्बित नहीं किया गया होता।

(घ) उपखण्ड (ख) या उपखण्ड (ग) के अधीन भत्तों का सदाय ऐसी सभी अवधि के अधीन रहते हुए होगा, जिनके अधीन ऐसे भत्ते अनुज्ञेय हैं।

(ङ) सरकारी सेवक का उसकी बहाली पर इस खण्ड के अधीन किया गया कोई सदाय, उस रकम के, यदि कोई हो, समायोजन के अधीन रहते हुए होगा जो उसकी पदच्युति, हटाए जाने, या अनिवार्य रूप से सेवानिवृत्ति अथवा, यथास्थिति, ऐसी पदच्युति, हटाए जाने या या अनिवार्य रूप से सेवानिवृत्ति की तारीख में पूर्ववर्ती निलम्बन की तारीख और उसकी बहाली की तारीख से पूर्ववर्ती तारीख की अवधि के दौरान उसके द्वारा किसी अन्य रोजगार, कारबार, वृत्ति या व्यवसाय में नियोजन से उपाजित की है। और जहां इस खण्ड के अधीन अनुज्ञेय उपलब्धियां, ऐसे रोजगार, कारबार, वृत्ति या व्यवसाय से ऐसी अवधि के दौरान उनके द्वारा उपाजित रकम के बराबर है या उससे कम है, बड़ा संबंधित सरकारी सेवक को कोई सदाय नहीं किया जाएगा।

5 (क) जब ऐसे सरकारी सेवक को, जो निलम्बित किया गया है, बहाल किया जाता है, या इस प्रकार बहाल कर दिया जाता यदि निलम्बनाधीन होने के समय उसका मृत्यु या उसकी अधिवर्षिता पर निवृत्ति न हो जाती, तब बहाली का आदेश करने के लिए सक्षम प्राधिकारी निलम्बित के बारे में विचार करेगा और विनिर्दिष्ट आदेश करेगा —

(1) यथास्थिति, बहाली या उसकी मृत्यु या अधिवर्षिता पर निवृत्ति की तारीख को समाप्त होने वाली निलम्बन अवधि के लिए सरकारी सेवक का दिए जाने वाला वेतन और भत्ते, और

(2) उक्त अवधि कर्तव्य पर व्यतीत की गई अवधि मानी जाएगी या नहीं।

(ख) खण्ड (1) में किसी बात के होने हुए भी, बड़ा निलम्बित सरकारी सेवक की मृत्यु, उसके विरुद्ध सन्धित प्रनुशासनिक या न्यायालय कार्यवाहियों के समाप्त होने से पहले ही हो जाती है, बड़ा निलम्बन की तारीख और मृत्यु की तारीख के बीच की अवधि सभी प्रयोजनों के लिए कर्तव्य पर व्यतीत की गई अवधि मानी जाएगी और पहले ही मंदत निर्वाह भत्ते की बाबत समायोजन के अधीन रहत हुए, उसके कुटुम्ब को उस अवधि के लिए पूरे वेतन और भत्तों का सदाय किया जाएगा, जिसका वह हकदार होता यदि वह निलम्बित नहीं किया गया होता।

(ग) जहां बहाली का आदेश करते के लिए सक्षम प्राधिकारी की यह राय है कि निलम्बन पूर्णतः अन्यायपूर्ण था, तो सरकारी सेवक का, उपखण्ड (ख) के उपबन्धों के अधीन रहते हुए, ऐसे पूरे वेतन और भत्ता का सदाय किया जाएगा जिसका वह हकदार होता, यदि वह निलम्बित नहीं किया गया होता

परन्तु जहां ऐसे प्राधिकारी की यह राय है कि सरकारी सेवक के विरुद्ध सन्धित कार्यवाहियों की समाप्ति में थिलम्ब ऐसे कारणों से हुआ था, जिनके लिए सरकारी सेवक प्रत्यक्ष रूप से उत्तरदायी है, तो वह उसे अभिवेदन करने का अवसर देने के और उसके द्वारा प्रस्तुत अभिवेदन पर, यदि उसने कोई दिया हो, विचार करने के पश्चात् ऐसे कारणों में, जो लेखबद्ध किए जाएंगे, निवेश कर सकता है कि सरकारी सेवक को, ऐसे थिलम्ब की अवधि के लिए ऐसे वेतन और भत्ता की केवल अनुपातत उतनी रकम का जिसका वह अवधारण कर, संदाय किया जाए।

(घ) उपखण्ड (ग) के अधीन आने वाले मामलों में निलम्बन की अवधि, सभी प्रयोजनों के लिए कर्तव्य पर व्यतीत की गई अवधि मानी जाएगी।

(ङ) उपखण्ड (ख) और (ग) के अधीन आने वाले मामलों में थिलम्ब मामलों में सरकारी सेवक का, उपखण्ड (ज) और (झ) के उपबन्धों

के अधीन रहने हुए, उस पूरे वेतन और भत्तों की, जिसका वह हकदार होता, यदि वह निनसम्बत नहीं किया गया होता, अनुपाततः उसी रकम का संशय किया जाएगा, जो सक्षम प्राधिकारी, सरकारी सेवक की प्रस्थापित मात्रा के अन्तर् में सूचना देन और उसी अवधि के भीतर, जो सूचना में विनिर्दिष्ट की जाए, उस संबंध में उसके द्वारा प्रस्तुत किए गए अभिवेदन पर, यदि कोई हो, विचार करने के पश्चात् अवधारित करे।

(घ) जहां निलम्बन, अनुशासनिक या न्यायालय कार्यवाहियों के पूर्ण होने के पूर्व प्रतिसहृत किया जाता है, वहां सरकारी सेवक के विरुद्ध कार्यवाहियों की समाप्ति के पहले उपखण्ड (क) के अधीन पारित किसी आदेश का, उपखण्ड (क) में वर्णित प्राधिकारी द्वारा कार्यवाहियों की समाप्ति के पश्चात् स्वप्रेरणा से पुनर्विलोकन किया जाएगा, जो यथास्थिति, उपखण्ड (ग) या उपखण्ड (ङ) के उपबन्धों के अनुसार आदेश करेगा।

(छ) उपखण्ड (ङ) के अधीन आने वाले मामले में निलम्बन की अवधि को कतव्य पर व्यतीत की गई अवधि तक तक नहीं माना जाएगा जब तक की सक्षम प्राधिकारी विनिर्दिष्ट रूप से यह निवेश नहीं करता कि उसे किसी विनिर्दिष्ट प्रयोजन के लिए ऐसा माना जाएगा।

परन्तु यदि सरकारी सेवक ऐसी वांछा करता है तो ऐसा प्राधिकारी यह आदेश कर सकता है कि निलम्बन की अवधि को सरकारी सेवक को शोध्य किसी भी प्रकार की अनुज्ञेय छुट्टी में परिवर्तित कर दिया जाए।

स्पष्टीकरण—पूर्ववर्ती परन्तु के अधीन सक्षम प्राधिकारी का आदेश अन्तिम होगा और निम्नलिखित की मंजूरी के लिए किसी उच्चतर मंजूरी की आवश्यकता नहीं होगी :—

(1) अस्थायी सरकारी सेवक के मामले में तीन मास से अधिक की अवधि के लिए असाधारण छुट्टी ; और

(2) स्थायी या स्थायित्व सरकारी सेवक के मामले में पांच वर्ष से अधिक की किसी भी प्रकार की छुट्टी।

(ज) उपखण्ड (ख), उपखण्ड (ग) या उपखण्ड (ङ) के अधीन भत्तों का भुगतान उन सभी शर्तों के अधीन रहते हुए होगा, जिनके अधीन ऐसे भत्ते अनुज्ञेय हैं।

(झ) उपखण्ड (ग) या उपखण्ड (ङ) के परन्तु के अधीन अवधारित पूरे वेतन और भत्तों की सानुपाती रकम खण्ड (1) के अधीन अनुज्ञेय निर्वाह भत्तों और अन्य भत्तों से कम नहीं होगी।

[सं० 7006/ए०जी०/पी०ओ०]

के० पी० गुप्ता,

महायक वित्तीय सलाहकार, रक्षा सेवाएं

(Department of Expenditure)

(Defence Division)

New Delhi, the 22nd September, 1975

S.O. 1683.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, and all other powers enabling him in this behalf, the President hereby makes the following regulations further to amend the Civil Service Regulations, namely :—

1.(1) These regulations may be called the Civil Service (Second Amendment) Regulations, 1975;

(2) They shall come into force on the date of their publication in the Official Gazette.

2. For Article 193 of the Civil Service Regulations, the following Article shall be substituted, namely :—

"193 (1) An Officer under suspension, or deemed to have been placed under suspension by an order of the appointing authority shall be entitled to the following payments, namely :—

(a) a subsistence allowance at an amount equal to the leave salary which the Govt. servant would have drawn if he had been on furlough on half average salary or leave on half pay and in addition dearness allowance, if admissible, on the basis of such leave salary :

Provided that where the period of suspension exceeds six months, the authority which made or is deemed to have made the order of suspension shall be competent to vary the amount of subsistence allowance for any period subsequent to the period of the first six months as follows :—

(i) the amount of subsistence allowance may be increased by a suitable amount not exceeding fifty per cent of the subsistence allowance admissible during the period of the first six months if, in the opinion of the said authority, the period of suspension has been prolonged for reasons to be recorded in writing, not directly attributable to the Government servant;

(ii) the amount of subsistence allowance may be reduced by a suitable amount not exceeding fifty per cent of the subsistence allowance admissible during the period of first six months if, in the opinion of the said authority, the period of suspension has been prolonged for reasons, to be recorded in writing, directly attributable to the Government servant :

Provided that no order under this clause shall be made, except after giving the Government servant concerned an opportunity to make his representation against the proposed reduction and after considering the representation, if any, made by him, and on an order being made under paragraph (i) or paragraph (ii) the rate of the dearness allowance shall be based on the increased or, as the case may be, the decreased amount of subsistence allowance admissible under such order.

(b) any other compensatory allowance admissible to the Government servant from time to time on the basis of the pay of which the Government servant was in receipt on the date he is suspended or is deemed to have been placed under suspension, subject to the fulfilment of other conditions laid down for the drawal of such allowance.

(2) No payment under clause (1) shall be made by unless the Government servant has not been engaging himself in any other employment, business profession or vocation during such period and furnishes a declaration to that effect :

Provided that in the case of Government servant dismissed, removed or compulsorily retired from service, who is deemed to have been placed or to have continued to be under suspension from the date of such dismissal or removal or compulsory retirement, under sub-rule (3) or sub rule (4) of rule 10 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965, and has engaged himself in any other employment, business, profession or vocation during any period or periods when he is deemed to be placed or to have continued to be under suspension, he shall be entitled to the subsistence allowance and other allowances equal to the amount by which his earnings during such period or periods, as the case may be, from such employment, business, profession or vocation, fall short of the amount of subsistence allowance and other allowances that would otherwise be admissible to him under clause (1) and where the subsistence allowance and other allowances admissible to him are equal to or less than the amount earned by him, nothing in this proviso shall apply to him.

(3)(a) When a Government servant, who has been dismissed, removed or compulsorily retired, is re-instated as a result of

appeal or review or would have been reinstated but for his retirement on superannuation while under suspension preceding the dismissal, removal or compulsory retirement, the authority competent to order his re-instatement shall consider and make a specific order—

(i) regarding the pay and allowances to be paid to the Government servant for the period of his absence from duty including the period of suspension preceding his dismissal, removal or compulsory retirement, as the case may be, and

(ii) whether or not the said period shall be treated as a period spent on duty.

(b) Where the authority competent to order re-instatement is of the opinion that the Government servant who had been dismissed, removed, or compulsorily retired has been fully exonerated, the Government servant shall, subject to the provisions of sub-clause (f) be paid the full pay and allowances to which he would have been entitled, had he not been dismissed, removed or compulsorily retired or suspended prior to such dismissal, removal or compulsory retirement, as the case may be :

Provided that where such authority is of the opinion that the termination of the proceedings instituted against the Government servant had been delayed due to reasons directly attributable to the Government servant it may, after giving him an opportunity to make his representation and after considering the representation, if any, submitted by him, direct, for reason to be recorded in writing, that the Government servant shall, subject to the provisions of sub-clause (g), be paid for the period of such delay, only such proportion of such pay and allowances as it may determine.

(c) In a case falling under sub-clause (b), the period of absence from duty including the period of suspension preceding dismissal removal or compulsory retirement, as the case may be, shall be treated as a period spent on duty for all purposes.

(d) In cases other than those covered by sub-clause (b) [including cases where the order of dismissal, removal or compulsory retirement from service is set aside by the appellate or reviewing authority solely on the ground of non-compliance with the requirements of the provisions of the Central Civil Services (Classification, Control and Appeal) Rules, 1965, and no further inquiry is proposed to be held] the Government servant shall, subject to the provisions of sub-clauses (f) & (g), be paid such proportion of the full pay and allowances to which he would have been entitled, had he not been dismissed, removed or compulsorily retired, or suspended prior to such dismissal removal or compulsory retirement, as the case may be as the competent authority may determine after giving notice to the Government servant of the quantum proposed and after considering the representation, if any, submitted by him in that connection within such period as may be specified in the notice :

Provided that any payment under this sub-clause to a Government servant shall be restricted to a period of three years immediately preceding the date on which orders for re-instatement of such Government servant are passed by the appellate authority or reviewing authority or immediately preceding the date of retirement on superannuation of such Government servant, as the case may be

(e) in a case falling under sub-clause (d), the period of absence from duty including the period of suspension preceding his dismissal, removal or compulsory retirement as the case may be, shall not be treated as a period spent on duty, unless the competent authority specifically directs that it shall be so treated for any specified purpose :

Provided that if the Government servant so desires, such authority may direct that the period of absence from duty including the period of suspension preceding his dismissal removal or compulsory retirement, as the case may be, shall be converted into leave of any kind due and admissible to the Government servant.

Explanation :—The order of the competent authority under the preceding proviso shall be absolute and no higher sanction shall be necessary for the grant of—

(i) extraordinary leave in excess of three months in the case of a temporary Government servant; and

(ii) leave of any kind in excess of five years in the case of a permanent or quasi-permanent Government servant.

(f) The payment of allowances under sub-clause (b) or sub-clause (d) shall be subject to all other conditions under which such allowances are admissible.

(g) The proportion of the full pay and allowances determined under the proviso to sub-clause (b) or under sub-clause (d) shall not be less than the subsistence allowance and other allowances admissible under clause (1)

(h) Any payment made under this clause to a Government servant on his re-instatement shall be subject to adjustment of the amount, if any, earned by him from any other employment, business, profession or vacation during the period between the date of removal, dismissal or compulsory retirement, or any period of suspension preceding such removal, dismissal or compulsory retirement, as the case may be, and the date preceding the date of reinstatement and where the emoluments admissible under this clause are equal to or less than the amount earned by him during such period from such employment, business, profession or vacation, no payment shall be made to the Government servant concerned.

(4)(a) Where the dismissal, removal or compulsory retirement of a Government servant is set aside by a Court of Law and consequently the Government servant is re-instated without any further inquiry, the period of absence from duty of such Government servant shall be regularised as per existing orders in that behalf and the Government servant shall be paid, subject to the directions of the court, if any, pay and allowances in accordance with the provisions of sub-clause (b) or sub-clause (c).

(b) (i) Where the dismissal, removal or compulsory retirement of a Government servant is set aside by the Court solely on the ground of non-compliance with the requirements of the provisions of the Central Civil Services (Classification, Control and Appeal) Rules, 1955, and where he is not exonerated on merits, the Government servant shall, subject to the provisions of sub-clause (g) of clause (3), be paid such proportion of the full pay and allowances to which he would have been entitled had he not been dismissed, removed or compulsorily retired, or suspended prior to such dismissal, removal or compulsory retirement, as the case may be, as the competent authority may determine, after giving notice to the Government servant of the quantum proposed and after considering the representation, if any, submitted by him, in that connection within such period as may be specified in the notice :

Provided that any payment under this sub-clause to a Government servant shall be restricted to a period of three years immediately preceding the date on which the judgment of the court was passed, or the date of retirement on superannuation of such Government servant as the case may be.

(ii) In a case falling under paragraph (i), the period intervening between the date of dismissal, removal or compulsory retirement including the period of suspension preceding such dismissal, removal or compulsory retirement, as the case may be, and the date preceding the date of reinstatement shall be regularised in accordance with the provisions contained in sub-clause (c) of clause (3)

(c) If the dismissal removal or compulsory retirement of a Government servant is set aside by the Court on the merits of the case the period intervening between the date of dismissal removal or compulsory retirement including the period of suspension preceding such dismissal, removal or compulsory retirement, as the case may be, and the date preceding the date of re-instatement shall be treated as a period spent on duty for all purposes and he shall be paid the full pay and allowances for the period, to which he would have been entitled, had he not been dismissed, removed or compulsorily retired or suspended prior to such dismissal, removal or compulsory retirement, as the case may be.

(d) The payment of allowances under sub-clause (b) or sub-clause (c) shall be subject to all other conditions under which such allowances are admissible.

(e) Any payment made under the clause to a Government servant on his re-instatement shall be subject to adjustment of the amount, if any, earned by him from any other employment, business, profession or vocation during the period between the date of dismissal, removal or compulsory retirement or suspension preceding such dismissal, removal or compulsory retirement, as the case may be, and the date preceding the date of re-instatement and where the emoluments admissible under this clause are equal to or less than those earned by him during such period from such employment, business, profession or vocation, no payment shall be made to the Government servant concerned.

5(a) When a Government servant who has been suspended is re-instated or would have been so re-instated but for his death or retirement on superannuation while under suspension, the authority competent to order re-instatement shall consider and make a specific order—

(i) regarding the pay and allowances to be paid to the Government servant for the period of suspension ending with the re-instatement or the date of his death or retirement on superannuation, as the case may be; and

(ii) whether or not the said period shall be treated as a period spent on duty.

(b) Notwithstanding anything contained in clause (1), in case a Government servant under suspension dies before the disciplinary or court proceedings instituted against him are concluded, the period between the date of suspension and the date of death shall be treated as a period spent on duty for all purposes and his family shall be paid for that period the full pay and allowances to which he would have been entitled had he not been suspended, subject to adjustment in respect of subsistence allowance already paid

(c) Where the authority competent to order re-instatement is of opinion that the suspension was wholly unjustified, the Government servant shall, subject to the provisions of sub-clause (h), be paid the full pay and allowances to which he would have been entitled, had he not been suspended :

Provided that where such authority is of the opinion that the termination of the proceedings instituted against the Government servant had been delayed due to reasons directly attributable to the Government servant, it may, after giving him an opportunity to make his representation and after considering the representation, if any, submitted by him, direct, for reasons to be recorded in writing, that the Government servant shall be paid for the period of such delay only such proportion of such pay and allowances as it may determine.

(d) In a case falling under sub-clause (c), the period of suspension shall be treated as a period spent on duty for all purposes.

(e) In cases other than those falling under sub-clauses (b) & (c), the Government servant shall be subject to the provisions of sub-clauses (h) and (i) be paid such proportion of the full pay and allowances to which he would have been entitled had he not been suspended, as the competent authority may determine, after giving notice to the Government servant of the quantum proposed and after considering the representation, if any, submitted by him in that connector within such period as may be specified in the notice.

(f) Where the suspension is revoked pending finalisation of the disciplinary or court proceedings, any order passed under sub-clause (a) before the conclusion of the proceedings against the Government servant, shall be reviewed on its own motion after the conclusion of the proceedings by the authority mentioned in sub-clause (a) who shall make an order according to the provisions of sub-clause (c) or sub-clause (e), as the case may be.

(g) In a case falling under sub-clause (e), the period of suspension shall not be treated as a period spent on duty unless the competent authority specifically directs that it shall be so treated for any specified purpose :

Provided that if the Government servant so desires, such authority may direct that the period of suspension shall be converted into leave of any kind due and admissible to the Government servant.

Explanation :—The order of the competent authority under the preceding proviso shall be absolute and no higher sanction shall be necessary for the grant of—

(i) extraordinary leave in excess of three months in the case of temporary Government servant ; and

(ii) leave of any kind in excess of five years in the case of permanent or quasi-permanent Government servant.

(h) The payment of allowances under sub-clause (b) sub-clause (c) or sub-clause (e) shall be subject to all other conditions under which such allowances are admissible.

(i) The proportion of the full pay and allowances determined under the proviso to sub-clause (c) or under sub-clause (e) shall not be less than the subsistence allowance and other allowances admissible under clause (1).

[No. 7006/AG/PB]

K. P. GUPTA, Assistant Financial Adviser, Defence Services

केन्द्रीय प्रत्यक्ष कर-बोर्ड

नई दिल्ली, 11 मार्च, 1976

आय-कर

का० आ० 1684.—केन्द्रीय सरकार, आय-कर अधिनियम, 1961 (1961 का 43) की धारा 194-क की उपधारा (3) के खण्ड (ii) के उपखण्ड (घ) के अनुसरण में इण्डियन डेरी कारपोरेशन बड़ीवा को उक्त उपखण्ड के प्रयोजन के लिए अधिसूचित करती है।

[सं० 1252 (का० सं० 275/23/75-आर्डी० टी० जे०)]

CENTRAL BOARD OF DIRECT TAXES

New Delhi, the 11th March, 1976

INCOME TAX

S.O. 1684.—In pursuance of sub-clause (f) of clause (iii) of sub-section 3 of Section 194A of the Income-tax Act, 1961 (43 of 1961) the Central Government hereby notifies the Indian Dairy Corporation, Baroda for the purpose of the said sub-clause.

[No. 1252/F. No. 275/23/75-ITJ]

का० आ० 1685.—केन्द्रीय सरकार आय-कर अधिनियम, 1961 (1961 का 43) की धारा 194-क की उपधारा (3) के खण्ड (iii) के उपखण्ड (घ) के अनुसरण में डेवलपमेंट कारपोरेशन आफ कोतकण लिमिटेड, मुम्बई को उक्त उपखण्ड के प्रयोजन के लिए अधिसूचित करती है।

[सं० 1254 (का० सं० 275/12/75-आर्डी० टी० जे०)]

के० आर० राघवन, निदेशक

S.O. 1685.—In pursuance of sub-clause (f) of clause (iii) of sub-section 3 of Section 194A of the Income-tax Act, 1961

(43 of 1961) the Central Government hereby notifies the Development Corporation of Konkan Ltd., Bombay for the purpose of the said sub-clause

[No. 1254/F. No. 275/12/76-ITJ]

K. R. RAGHAVAN, Director

नई दिल्ली, 25 मार्च, 1976

का० आ० 1686.—सर्वसाधारण की जानकारी के लिए यह अधिसूचित किया जाता है कि निम्नलिखित संस्था को, केन्द्रीय प्रत्यक्ष कर बोर्ड द्वारा, प्राथमिक अधिनियम, 1961 की धारा 35B की उपधारा (2) के खण्ड (क) के प्रयोजनार्थ; वित्तीय, सामग्री और साधारण प्रबन्ध के क्षेत्रों में प्रबन्ध परामर्शी सेवा प्रस्तुत करने के लिए अनुमोदित किया गया है।

संस्था का नाम

ए० एफ० फर्गुसन गृह कम्पनी चार्टर्ड एकाउण्टेंट्स सुरुई ।
यह अनुमोदन 19 सितम्बर, 1975 से प्रभावी है।

[सं० 1259 (फ० सं० 203/128/75-आई० टी० ए० II)]

टी० पी० मुनमुनवाला, सचिव

New Delhi, the 25th March, 1976

S.O. 1686.—It is hereby notified for general information that the institution mentioned below has been approved by the Central Board of Direct Taxes for the purposes of clause (a) of sub-section (2) of Section 35D of the Income-tax Act, 1961 for rendering management consultancy services in the field of Financial, Material & General Management.

NAME OF THE INSTITUTION

A. F. FERGUSON & CO., CHARTERED ACCOUNTANTS, BOMBAY. The approval takes effect from 19th September, 1975.

[No. 1259/F. No. 203/128/75-ITA. II]

T. P. IHUNJHUNWALA, Secy.

उद्योग और नागरिक पूर्ति मंत्रालय

(नागरिक पूर्ति और सहकारिता विभाग)

नई दिल्ली, 6 मई, 1976

का० आ० 1687.—केन्द्रीय सरकार, अधिम सविदा (विनियमन) अधिनियम, 1952 (1952 का 74) की धारा 5 के अधीन सेट्टल इण्डियन कम्पिज एक्सचेंज लिमिटेड खातियर द्वारा मान्यता के नवीकरण के लिए किये गये आवेदन पर वायदा बाजार प्रायोग के परामर्श से विचार करके और यह समाधान हो जाने पर कि ऐसा करना व्यापारिक के हित में और लोक हित में भी होगा, एतद्वारा, उक्त अधिनियम की धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त एक्सचेंज को अलसी की अधिम सविदाओं के बारे में 2 जून, 1976 से 1 जून, 1977 (जिसमें ये दोनों दिन भी सम्मिलित हैं) एक वर्ष की अतिरिक्त कालावधि के लिए मान्यता प्रदान करती है।

21 G of I/76—2.

2. एतद्वारा प्रदत्त मान्यता इस शर्त के अध्वधीन है कि उक्त एक्सचेंज ऐसे निवेश का अनुपासन करेगा जो वायदा बाजार प्रायोग द्वारा समय-समय पर दिये जायें।

[संख्या 12(8) आई० टी०/76]

टी० एन० लाल, अधर सचिव

MINISTRY OF INDUSTRY & CIVIL SUPPLIES

(Department of Civil & Cooperation)

New Delhi, the 6th May, 1976

S.O. 1687.—The Central Government, having considered in consultation with the Forward Markets Commission, the application for renewal of recognition made under Section 5 of the Forward Contracts (Regulation) Act, 1952 (74 of 1952) by the Central India Commercial Exchange Ltd., Gwalior, and being satisfied that it would be in the interest of the trade and also in the public interest so to do, hereby grants in exercise of the powers conferred by Section 6 of the said Act, recognition to the said Exchange for a further period of one year from 2nd June, 1976 to the 1st June, 1977, both days inclusive, in respect of forward contracts in linseed.

2. The recognition hereby granted is subject to the condition that the said Exchange shall comply with such directions as may from time to time be given by the Forward Market Commission.

[F. No. 12(8)-IT/76]

B. N. LALL, Under Secy.

विदेश मंत्रालय

नई दिल्ली, 20 अप्रैल, 1976

का० आ० 1688.—हज समिति अधिनियम, 1959 (1951 का 51) की धारा 6 की उपधारा (1), (4) और (5) के अनुपालन में 6 सितम्बर, 1975 को हुई समिति की बैठक में श्री अहमद बी० जकारिया के हज समिति बंबई के सभापति के रूप में और सर्वश्री रिद्वान बी० हेस्मि और मुसताज मोहम्मद खान के उप-सभापति के रूप में चुनाव की इसके द्वारा घोषणा की जाती है।

[सं० एम० (हज) 118-1/11/75]

ए० खलीसी, निदेशक (हज)

MINISTRY OF EXTERNAL AFFAIRS

New Delhi, the 20th April, 1976

S.O. 1688.—In pursuance of Sub-sections (1), (4) & (5) of Section 6 of the Haj Committee Act, 1959 (No. 51 of 1961), the election of Shri Ahmed B. Zakaria as Chairman and Sarvashri Ridwan B. Harris and Mumtaz Mohd. Khan as Vice-Chairmen of the Haj Committee, Bombay, at the meeting of the Committee held on the 6th September, 1975, is hereby notified.

[No. M(Haj) 118-1/11/75]

A. KHALEELI, Director (Haj)

पेट्रोलियम और रसायन मंत्रालय

(पेट्रोलियम विभाग)

नई दिल्ली, 6 मई, 1976

का० आ० 1689.—यत् पेट्रोलियम, पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50)

की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और रसायन मंत्रालय (पेट्रोलियम विभाग) की अधिसूचना ४० ग्रा० सं० 2759 तारीख 4-8-75 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों के बिछाने के प्रयोजन के लिये अर्जित करने का अपना आशय घोषित कर दिया था;

और यतः सक्षम प्राधिकारी के उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट देनी है;

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय किया है;

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुये केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिये एतद्वारा अर्जित किया जाता है;

और, आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुये केन्द्रीय सरकार निवेश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में विहित होने के बजाय तेल और प्राकृतिक गैस आयोग में, सभी संयकों से मुक्त रूप में, इस घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

10 लाईन्स को जी० जी० एस० कम सी० टी० एफ काबी तक प्रत्यावर्तन के लिए पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन।

राज्य : गुजरात	जिला : मेहसाणा	तालुका : कादी		
गांव	सर्वेक्षण नं०	हेक्टेयर ए० आर०	सेण्टीयर	ई०
1	2	3	4	5
चलासन	71	0	09	00
	93/पी०	0	41	00

[सं० 12016/10/75-एल० एण्ड एल०]

MINISTRY OF PETROLEUM & CHEMICALS

(Department of Petroleum)

New Delhi, the 6th May, 1976

S.O. 1689—Whereas by a notification of the Govt. of India in the Ministry of Petroleum & Chemical (Department of Petroleum) S.O. No. 2759 dated 4-8-75 under sub-section (1) of section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land), Act 1962 (50 of 1962), the Central Government declared its intention to acquire the Right of User in the lands specified in the schedule appended to that notification for the purpose of laying pipelines;

And whereas the competent authority has under sub-section (1) of section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now therefore in exercise of the power conferred by sub-section (1) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipelines;

And further in exercise of the power conferred by sub-section (4) of that Section, the Central Government directs that right of user in the said lands shall instead of vesting in the Central Government vest on this date of the publication of his declaration in the Oil & Natural Gas Commission free from all encumbrances.

SCHEDULE

Acquisition of Right of User for laying Pipeline for Divers ion of 10 lines to GGS-cum-CFF Kadi.

State : Gujarat	District : Mehsana	Taluka : Kadi		
Village	Survey No.	Hectare	Are	Centiare
Chalasan	71	0	09	00
	93/P	0	41	00

[No. 12016/10/75-L&L]

का० ग्रा० 1690.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोक हित में यह आवश्यक है कि गुजरात राज्य में जी० एस० एन० के० 73 और 74 से आर० यू० एन० के० एल० तक पेट्रोलियम के परिवहन के लिए पाइप लाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए;

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतद्वारा अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है;

अतः, अब पेट्रोलियम पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुये केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है;

बशर्ते कि उक्त भूमि में हितवद्ध कोई व्यक्ति, उस भूमि के नये पाइपलाइन बिछाने के लिए आक्षेप समक्ष प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग, निर्माण और वेल्डिंग प्रभाग, मकरपुरा रोड बरीदा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा;

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगतः हो या किनी विधि व्यवसायी की मार्फत।

अनुसूची

एन० के० 73 और 74 से एन० के० एल० तक भूमि के उपयोग का अधिकार

राज्य गुजरात	जिला : मेहसाणा	तालुका : कादी		
गांव	सर्वेक्षण नं०	हेक्टेयर ए० आर०	सेण्टीयर	ई०
1	2	3	4	5
सूरज	721	0	07	50
	720	0	07	00
	584	0	04	50

[संख्या 12016/2/76-एल० एण्ड एल०]

टी०पी० सुब्रह्मण्यम, अवर सचिव

S. O. 1690.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from d.s. NK-73 & 74 to R.O.U. NKL in Gujarat State, pipeline should be laid by the Oil & Natural Gas Commission ;

2. And Whereas it appears that for the purpose of laying such pipelines it is necessary to acquire the Right of User in the land described in the schedule annexed hereto ;

3. Now therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the Petroleum lines (Acquisition of Right of User in land) Act, 1962 (50 of 1962) the Central Government hereby declares its intention to acquire the Right of User therein ;

4. Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Baroda-9;

5. And Every Person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

R.O.U. from NK-73 & 74 To R.O.U. NKL

State : Gujarat	District : Mchana		Taluka : Kadi	
Village	Survey No.	Hectare	Ac	Centiare
Suraj	721	0	07	50
	720	0	07	00
	584	0	04	50

(No. 12016/2/76-L&L)

T.P. SUBRAHMANYAN, Under Secy.

उर्जा मंत्रालय

(कोयला विभाग)

नई दिल्ली, 29 अप्रैल, 1976

क्रा० प्रा० 1691.—केन्द्रीय सरकार ने, कोयला वाले क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 7 की उपधारा (1) के अधीन भारत सरकार के ऊर्जा मंत्रालय (कोयला विभाग) की अधिसूचना क्र० प्रा० सं० 110 (ई), तारीख 24 फरवरी, 1975 द्वारा उस अधिसूचना से संलग्न अनुसूची 'क' में वर्णित भूमियों को तथा अनुसूची 'ख' में वर्णित भूमियों में खनन करने, खदान करने, वेधान करने, खोदने और खनिजों की खोज करने उन्हें निकालने, परिचालित करने और वहन कर ले जाने के अधिकारों को अर्जित करने के अपने आशय की सूचना दी थी ;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 8 के अनुसरण में केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है ;

और केन्द्रीय सरकार का सक्षम प्राधिकारी की रिपोर्ट पर विचार करने के पश्चात् तथा महाराष्ट्र सरकार से परामर्श करने के पश्चात् समाधान हो गया है कि.—

- (क) इससे संलग्न अनुसूची 'क' में वर्णित 1050.00 एकड़ (लगभग) या 410.75 हेक्टेयर (लगभग) वाली भूमि, और
- (ख) इससे संलग्न अनुसूची 'ख' में वर्णित 120.80 एकड़ (लगभग) या 48.56 हेक्टेयर (लगभग) वाली भूमियों

में खनन करने, खदान करने, वेधान करने, खोदने और खनिजों की खोज करने उन्हें निकालने परिचालित करने और वहन कर ले जाने के अधिकार, अर्जित किए जाने चाहिए ।

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 9 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, घोषणा करती है कि उक्त अनुसूची 'क' में वर्णित 1050.00 एकड़ (लगभग) या 410.75 हेक्टेयर (लगभग) वाली भूमि तथा उक्त अनुसूची 'ख' में वर्णित 120.80 एकड़ (लगभग) या 48.56 हेक्टेयर (लगभग) वाली भूमियों में खनन करने, खदान करने, वेधान करने, खोदने और खनिजों की खोज करने, उन्हें निकालने परिचालित करने और वहन कर ले जाने के अधिकार इसके द्वारा अर्जित किए जाते हैं।

इस अधिसूचना के अन्तर्गत आने वाले क्षेत्र के रेखांक का निरीक्षण कलकट, नागपुर (महाराष्ट्र) के कार्यालय में अथवा कोयला नियंत्रक के कार्यालय, 1 फाउन्टेन हाउस स्ट्रीट, कलकत्ता में अथवा सेटुल गोल फील्ड लिमिटेड (राजस्व अनुभाग) के कार्यालय बरभगा हाऊस, रांची में किया जा सकता है।

अनुसूची 'क'

पाटनसौगी खण्ड

काम्पटी कोयला क्षेत्र

महाराष्ट्र

उपखण्ड I

क्रा० सं० राजस्व/17/75

तारीख 2-6-1975

(जिसमें अर्जित की जाने वाली भूमियां वर्णित हैं)

सभी अधिकार

क्रम सं०	ग्राम	तहसील	बंदो-बस्त संख्या	जिला क्षेत्र	टिप्पणी
1	2	3	4	5	6
1.	पिपला	सावनेर	11	नागपुर भाग	
2.	काकोडस (कोडस)	"	13	"	"
3.	एल्लूर	"	15	"	"
4.	पाटनसानवोगी (पाटनसौगी)	"	16	"	"
5.	तंडुलवाणी (तंडुक पाणी)	नागपुर	11	"	"
		कुल क्षेत्र	1050.00 एकड़	(लगभग)	
		या	410.75 हेक्टेयर	(लगभग)	

पिपला ग्राम में अर्जित प्लॉट संख्या.—99 (भाग) और 191-193(पी)।

काकोडस (कोडस) ग्राम में अर्जित प्लॉट संख्या.—1, 2 (पी) 3, 4, 5 (पी) 7 (पी), 13 पी, 14 (पी), 15, 16, 17 (पी) 18 से 25 (पी), 28 (पी), 29 (पी), 32 (पी), 33 (पी), 34, 35 (पी), 36 (पी), 37 से 61, 62/1, 62/2, 63/1, 63/2, 64/2, 65 से 102 103/1, 103/2, 104 से 110, 111 (पी), 112 से 117, 118/1, 118/2, 119 (पी), 120 से 122, 123 (पी) 138 (पी) 167 (पी), 168 (पी), 169 (पी), 170 (पी) 171 (पी), 1972

(पी), 171 (बी), 172 (पी), 173 (पी), 1974 (पी), 1975 (पी)
176 (पी), 193 194/1, 194/2, 195, 196 और 197.

एल्लूर ग्राम में अर्जित प्लॉट संख्या 83 (पी).

पाटनमानवोगी (पाटनसोगी) ग्राम में अर्जित प्लॉट संख्या--290
(पी) 291 (पी), 292, 293 (पी), 294 (पी), 395 से 299,
303 (पी), 304, 305 (पी), 307 (पी), 340 (पी), 341 (पी),
342 से 347, 348 (पी) 354 (पी), 355, 356 (पी),
361/1(पी), 361/3(पी), 362(पी) 380 (पी), 381(पी) 385(पी), 387
387(पी), 388(पी), 389 से 414, 415(पी)

तंडुलवाणी (नदुकपाणी) ग्राम में अर्जित प्लॉट संख्या--1(पी),
64(पी), 65 66 (पी), 67 (पी)

सीमा वर्णन--

ए-बी.--लाइन पाटनमानवोगी (पाटनसोगी) ग्राम के प्लॉट संख्या 361/3
356, 354, 341, 310 और 415 348 से होकर
जाती है और बिन्दु 'बी' पर मिलती है।

बी-सी- लाइन पाटनमानवोगी (पाटनसोगी) ग्राम के प्लॉट संख्या 415
(नाला) की आंशिक दक्षिणी सीमा के साथ-साथ जाती है और बिन्दु 'सी' पर मिलती है।

सी-डी.--लाइन पाटनमानवोगी (पाटनसोगी) ग्राम के प्लॉट संख्या
415 से होकर और तंडुलवाणी (नदुकपाणी) ग्राम के प्लॉट संख्या
1 से होकर, अर्थात् कोलर नदी में से गजर जाती है और
बिन्दु 'डी' पर मिलती है।

डी-ई.--लाइन तंडुलवाणी (नदुकपाणी) ग्राम के प्लॉट संख्या 1
(कोलर नदी की आंशिक दक्षिणी सीमा) की आंशिक
दक्षिणी सीमा के साथ-साथ और प्लॉट संख्या 87, 88, 89
और 90 की दक्षिणी सीमा के साथ-साथ जो काओइस
(कोइस) ग्राम की भी आंशिक दक्षिणी सीमा भी है,
जाती है और बिन्दु 'ई' पर मिलती है।

ई-एफ-जी.--लाइन प्लॉट संख्या 65 (कोलर नदी) की पश्चिमी
सीमा के साथ-साथ और तंडुलवाणी (नदुकपाणी) ग्राम
की प्लॉट संख्या 64, 67 और 66 से होकर जाती है और बिन्दु
जी पर मिलती है।

जी-एच-आई --लाइन तंडुलवाणी (नदुकपाणी) और बीड काओइस ग्रामों
आंशिक सामान्य सीमा के साथ-साथ जाती है और बिन्दु
'आई' पर मिलती है।

आई. जे. के एल--लाइन बीड काओइस (कोइस) ग्राम
की सामान्य सीमा के साथ-साथ जाती है और बिन्दु 'ल'
पर मिलती है।

एल.एम--लाइन पिपला ग्राम और बीड काओइस ग्राम की आंशिक
सामान्य सीमा के साथ-साथ जाती है और 'एम' बिन्दु पर
मिलती है।

एम.एन.--लाइन पिपला ग्राम के प्लॉट संख्या 191-193 और 99 से
होकर जाती है और बिन्दु 'न' पर मिलती है।

एन-ओ.--लाइन मड़क की आंशिक उत्तरी सीमा के साथ-साथ
अर्थात् पिपला ग्राम के प्लॉट संख्या 99 की आंशिक उत्तरी
सीमा के साथ साथ और ग्राम काओइस (कोइस) के
प्लॉट संख्या 193 की आंशिक उत्तरी सीमा के साथ-साथ जाती है
और बिन्दु 'ओ' पर मिलती है।

ओ-पी-क्यू-आर-एस--लाइन काओइस (कोइस) ग्राम के प्लॉट
संख्या 176, 111, 175, 174, 173, 172, 171, 170, 169,
168, 167, 119, 138 123 11 और 12 से होकर
जाती है और बिन्दु 'एस' पर मिलती है।

एस-टी-यू.--लाइन काओइस (कोइस) ग्राम के प्लॉट संख्या 12, 17,
7, 6, 5, 6 और 2 से होकर, एल्लूर ग्राम के प्लॉट संख्या
83 से होकर, पाटनमानवोगी (पाटनसोगी) ग्राम के प्लॉट संख्या
291, 290, 293 और 294 से होकर जाती है और बिन्दु
'यू' मिलती है।

यू-वी--लाइन रेलवे लाइन की आंशिक उत्तरी सीमा के साथ-साथ,
अर्थात् प्लॉट सं० 320 की आंशिक उत्तरी सीमा के
साथ-साथ, पाटनमानवोगी (पाटनसोगी) ग्राम की प्लॉट संख्या
300 की उत्तरी सीमा के साथ-साथ, काओइस (कोइस)
ग्राम के प्लॉट संख्या 26 की आंशिक उत्तरी सीमा के साथ-साथ
जाती है और बिन्दु 'वी' पर मिलती है।

वी-ए--लाइन काओइस (कोइस) ग्राम के प्लॉट संख्या 26, 36,
35, 32, 33, 29 और 28 से होकर पाटनमानवोगी (पाटन
सोगी) ग्राम के प्लॉट संख्या 303, 305, 307, 388,
386-387, 385, 381, 380, 362, 361/1 और 361/3
से होकर जाती है और आरम्भ बिन्दु 'ए' पर मिलती है।

अनुसूची 'ख'

उपखण्ड-II

इ।सं सं० राजस्व 17/75 तारीख 2-6-75
(जिसमें वे भूमियां दर्शाई हैं जिनमें खनन करने,
खदान करने, वेधन करने, खोदने और
खनिजों की खोज करने, उन्हें निकालने, परि-
चालित करने और वहन कर ले जाने
के अधिकार अर्जित किए जाने हैं)

खनन अधिकार

क्रम	ग्राम	तहसील	बंदो- बस्त संख्या	जिला	क्षेत्र टिप्प- नियां
1	काओइस (कोइस)	मावनेर	13	नागपुर	भाग
2	पाटनमानवोगी (पाटनसोगी)	"	16	"	"
		कुल क्षेत्र	120 00 एकड़	(लगभग)	
		या	48.56 हेक्टेयर	(लगभग)	

काओइस (कोइस) ग्राम में अर्जित प्लॉट संख्या :--(26पी) 27,
28 (पी) 29 (पी) 30, 31, 32 (पी) 33(पी) 35(पी) और 36
(पी)

पाटनमानवोगी (पाटनसोगी) ग्राम में अर्जित प्लॉट संख्या--300,
301, 302, 303(पी), 305(पी), 306, 307(पी), 308,
309, 310(पी), 312 (पी), 313 (पी), 314(पी), 320(पी),
324 (पी), 361/1(पी), 361/2 (पी), 361/3(पी) 362(पी),
363, 364(पी), 365(पी), 377(पी), 378, 379, 380(पी),
381(पी), 382, 383 (पी), 384 (पी), 385 (पी) 386-387
(पी), और 388 (पी)

सीमा वर्णन:—

यू-डब्ल्यू.—लाइन पाटनसानवोगी (पाटनसोगी) ग्राम के प्लाट संख्या 320, 310, 312, 313, 314, 324, 384, 385 और 377 से होकर जाती है और बिन्दु 'डब्ल्यू' पर मिलती है।

डब्ल्यू-ए.—लाइन पाटनसानवोगी (पाटनसोगी) ग्राम के प्लाट संख्या 362, 365, 364, 361/2, 361/3 से होकर जाती है और बिन्दु 'ए' पर मिलती है।

ए-बी.—लाइन पाटनसानवोगी (पाटनसोगी) ग्राम की प्लाट संख्या 361/3, 361/1, 362, 380, 381, 385, 386-387, 388, 307, 305 और 303 से होकर, काप्रोडस (कोडस) ग्राम के प्लाट संख्या 28, 29, 33, 32, 35, 36 और 26 से होकर जाती है और बिन्दु 'बी' पर मिलती है।

बी-यू.—लाइन रेलवे लाइन की प्रांशिक उत्तरी सीमा के साथ-साथ अर्थात् काप्रोडस (कोडस) ग्राम के प्लाट संख्या 26 की प्रांशिक उत्तरी सीमा के साथ-साथ पाटनसानवोगी (पाटनसोगी) के प्लाट संख्या 300 की उत्तरी सीमा के साथ-साथ प्लाट सं० 320 की प्रांशिक उत्तरी सीमा के साथ-साथ जाती है और आरम्भ 'यू' पर मिलती है।

[सं० सी-3-2(6)/71-सी० 5/सीईएल]

MINISTRY OF ENERGY

(Department of Coal)

New Delhi, the 29th April, 1976

S.O. 1691—Whereas by the notification of Government of India in the Ministry of Energy (Department of Coal) S.O. No. 110(E) dated the 24th February, 1975, under sub-section (1) of section 7 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government gave notice of its intention to acquire the lands described in Schedule 'A', and the rights to mine, quarry, bore, dig and search for, win, work and carry away minerals in the lands described in Schedule 'B', appended to that notification;

And whereas the competent authority in pursuance of section 8 of the said Act has made its report to the Central Government;

And whereas the Central Government, after considering, the report of the competent authority and after consulting the Government of Maharashtra is satisfied that—

- the land measuring 1050.00 acres (approximately) or 410.75 hectares (approximately) described in Schedule 'A' appended hereto, and
- the rights to mine, quarry, bore, dig and search for, win, work and carry away minerals in the lands measuring 120.00 acres (approximately) or 48.56 hectares (approximately) described in schedule 'B' appended hereto, should be acquired.

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 9 of the said Act, the Central Government hereby declares that the land measuring 1050.00 acres (approximately) or 410.75 hectares (approximately) described in the said Schedule 'A' and the rights to mine, quarry, bore, dig and search for, win, work and carry away minerals in the lands measuring 120.00 acres (approximately) or 48.56 hectares (approximately) described in the said schedule 'B' are hereby acquired.

The plan of the area covered by this notification may be inspected in the office of the Collector, Nagpur (Maharashtra) or in the office of the Coal Controller, 1, Council House Street, Calcutta or in the Office of the Central Coalfields Limited (Revenue Section), Darbhanga House, Ranchi.

SCHEDULE 'A'

Patansaongi Block

Kamptec Coalfield

MAHARASHTRA

Sub-Block-I

Org. No. Rev/17/75

Dated 2-6-1975

(Showing lands acquired)

All Rights

Serial number	Village	Tehsil	Bandobast number	District	Area	Remarks
1.	Pipla	Saoner	11	Nagpur	Part	
2.	Kaodas (Kodas)	"	13	"	"	"
3.	Eltur	"	15	"	"	"
4.	Patansanwogi (Patansaongi)	"	16	"	"	"
5.	Tandulwani (Naduk Pani)	Nagpur	11	"	"	"

TOTAL AREA :—1050.00 acres (approximately) or 410.75 hectares (approximately)

Plot numbers acquired in village Pipla :—99(part) and 191-193 (P).

Plot numbers acquired in village Kaodas (Kodas) :—1, 2 (P), 3, 4, 5(P), 6(P), 7(P), 13(P), 14(P), 15, 16, 17(P), 18 to 25, 26(P), 28(P), 29(P), 32(P), 33(P), 34, 35(P), 36(P), 37 to 61, 62/1, 62/2, 63/1, 63/2, 64/1, 64/2, 65 to 102, 103/1, 103/2, 104 to 110, 111(P), 112 to 117, 118/1, 118/2, 119(P), 120 to 122, 123(P), 138(P), 167(P), 168(P), 169(P), 170(P), 171(P), 172(P), 173(P), 174(P), 175(P), 176(P), 193, 194/1, 194/2, 195, 196 & 197.

Plot numbers acquired in village Eltur :—83(P).

Plot numbers acquired in village Patansanwogi (Patansaongi) :—290(P), 291(P), 292, 293(P), 294(P), 295 to 299, 303(P), 304, 305(P), 307(P), 340(P), 341(P), 342 to 347, 348(P), 354(P), 355, 356(P), 361/1(P), 361/3(P), 362(P), 380(P), 381(P), 385(P), 386-387(P), 388(P), 389 to 414, 415(P).

Plot numbers acquired in village Tandulwani (Nadukpani) :—1(P), 64(P), 65, 66(P), 67(P).

Boundary Description :—

- A—B line passes through plot numbers 361/3, 356, 354, 348, 341, 340 and 415 of village Patansanwogi (Patansaongi) and meets at point 'B'.
- B—C line passes along the part Southern boundary of plot number 415 (Nala) of village Patansanwogi (Patansaongi) and meets at point 'C'.
- C—D line passes through plot number 415 of village Patansanwogi (Patansaongi) and through plot number 1 of village Tandulwani (Nadukpani) i.e. through River Kolar and meets at point 'D'.
- D—E line passes along the part southern boundary of plot number 1 (part southern boundary of River Kolar) of village Tandulwani (Nadukpani) and along the Southern boundary of plot numbers 87, 88, 89 and 90 which is also the part southern boundary of village Kaodas (Kodas) and meets at point 'E'.
- E—F—G lines pass along the Western boundary of plot number 65 (Kolar River) and through plot number 64, 67 and 66 of village Tandulwani (Nadukpani) and meet at point 'G'.

- G—H—I lines pass along the part common boundary of villages Tandulwani (Nadukpani) and Bid Kaodas and meet at point 'T'.
- I—J—K—L lines pass along the common boundary of villages Bid Kaodas and Kaodas (Kodas) and meet at point 'L'.
- L—M line passes along the part common boundary of villages Pipla and Bid Kaodas and meets at point 'M'.
- M—N line passes through plot numbers 191-193 and 99 of village Pipla and meets at point 'N'.
- N—O line passes along the part 'Northern boundary of road that is among the part northern boundary of plot number 99 of village Pipla and along the part northern boundary of plot number 193 of village Kaodas (Kodas) and meets at point 'O'.
- O—P—Q lines pass through plot numbers 176, 111, 175, 174, 173, 172, 171, 170, 169, 168, 167, 119, 138, 123, 14 and 12 of village Kaodas (Kodas) and meet at point 'S'.
- S—T—U lines pass through plot numbers 12, 17, 7, 6, 5, 6 and 2 of village Kaodas (Kodas), through plot number 83 of village Eltur, through plot numbers 291, 290, 293 and 294 of village Patansanwogi (Patansaongi) and meet at point 'U'.
- U—V line passes along the part northern boundary of Railway line i.e. along the part northern boundary of plot number 320, along the northern boundary of plot number 300 of village Patansanwogi (Patansaongi) along the part northern boundary of plot number 26 of village Kaodas (Kodas) and meets at point 'V'.
- V—A line passes through plot numbers 26, 36, 35, 32, 33, 29 and 28 of village Kaodas (Kodas) through plot numbers 303, 305, 307, 388, 386-387, 385, 381, 380, 362, 361/1, and 361/3 of village Patansanwogi (Patansaongi) and meets at starting point 'A'.
- V—U line passes along the part northern boundary of Railway line i.e. along the part northern boundary of plot number 26 of village Kaodas (Kodas), along Northern boundary of plot number 300, along part Northern boundary of plot number 320 village Patansanwogi (Patansaongi) and meets at starting point 'U'.

[No. C3-2(6)/71-C5/CEL]

नई दिल्ली, 6 मई, 1976

का० आ० 1692.—केन्द्रीय सरकार ने, कोयला वाले क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 7 की उपधारा (i) के अधीन जारी की गई भारत सरकार के हस्तात और खान मन्त्रालय (खान विभाग) की अधिसूचना सं० का० आ० 1855, तारीख 12 जुलाई, 1971 द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट परिक्षेत्र में भूमि अर्जित करने के अपने आशय की सूचना की थी;

और सक्षम प्राधिकारी ने उक्त अधिसूचना की धारा 8 के अनुसरण में अपनी रिपोर्ट केन्द्रीय सरकार को दी है ;

और केन्द्रीय सरकार का पूर्वोक्त रिपोर्ट पर विचार करने के पश्चात् और उत्तर प्रदेश सरकार से परामर्श करने के पश्चात् यह समाधान हो गया है कि इससे उपावद्ध अनुसूची में वर्णित 102.00 एकड़ (लगभग) या 39.28 हेक्टेयर्स (लगभग) के माप की भूमि को अर्जित किया जाना चाहिए।

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 9 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए घोषित करती है कि उक्त अनुसूची में वर्णित 102.00 एकड़ (लगभग) या 39.28 हेक्टेयर्स (लगभग) के माप की भूमि को अर्जित कर लिया गया है।

2. इस अधिसूचना के अन्तर्गत आने वाली रेखाओं का निरीक्षण कलक्टर, मिर्जापुर, उत्तर प्रदेश के कार्यालय में या कोयला नियन्त्रक के कार्यालय, काउन्सिल हाउस स्ट्रीट, कलकत्ता में या सेन्ट्रल कोलफील्ड्स लिमिटेड के कार्यालय (राजस्व अनुभाग) दरभंगा हाउस, रांची (बिहार) में किया जा सकेगा।

अनुसूची

उप-ब्लॉक क, ड और च

जोगीचौरा ब्लॉक

बीणा और सिंगरीली V परियोजना

सिंगरीली कोयलावाले क्षेत्र (उ० प्र०)

इकाई सं० राजस्व/74/75

तारीख 8-12-75

(अर्जित क्षेत्र वर्णित किए गए हैं)

उप-ब्लॉक—घ

सभी अधिकार

Mining Rights

Serial No.	Village	Tahsil	Bandobast number	District	Area	Remarks
1.	Kaodas (Kodas)	Saoner	13	Nagpur	Part.	
2.	Patansanwogi (Patansaongi)	Saoner	16	Nagpur	Part.	
Total area :—120.00 acres (approximately) or 48.56 hectares (approximately)						

Plot numbers acquired in village Kaodas (Kodas) :—26(P), 27, 28(P), 29(P), 30, 31, 32(P), 33(P), 35(P) and 36(P).

Plot numbers to be acquired in village Patansanwogi (Patansaongi) :—300, 301, 302, 303(P), 305(P), 306, 307(P), 308, 309, 310(P), 312(P), 313(P), 314(P), 320(P), 324(P), 361/1(P), 361/2(P), 361/3(P), 362(P), 363, 364(P), 365(P), 377(P), 378, 379, 380(P), 381(P), 382, 383(P), 384(P), 385(P), 386-387(P) and 388(P).

Boundary Description :

- U—W line passes through plot numbers 320, 310, 312, 313, 314, 324, 384, 383 and 377 of village Patansanwogi (Patansaongi) and meets at point 'W'.
- W—A line passes through plot numbers 362, 365, 364, 361/2, 361/3 of village Patansanwogi (Patansaongi) and meets at point 'A'.
- A—V line passes through plot numbers 361/3, 361/1, 362, 380, 381, 385, 386-387, 388, 307, 305 and 303 of

क्रम सं०	ग्राम	तहसील	परगना सं०	परगना सं०	खाना जिला	क्षेत्र	टिप्पणियां
1.	बंशी	दुधी	सिंगरीली	8	मिर्जापुर	भाग (खेड़ा)	

कुल क्षेत्र 1.55 एकड़ (लगभग)
या 9.63 हेक्टेयर्स (लगभग)

ग्राम बंशी में अर्जित प्लाट सं०

301 से 304

सीमा वर्णन

क-क/1 लाईन ग्राम बंशी में प्लाट सं० 301 की पश्चिमी सीमा के साथ साथ जाती है।

क/1-ख लाईन ग्राम बंशी में प्लाट सं० 302, 303 और 304 की पश्चिमी सीमा के साथ साथ जाती है जो कोयला अधिनियम की धारा 9 के अधीन अर्जित जोगीचौरा ब्लॉक की आंशिक रूप से सामान्य सीमा भी है।

ख-ग लाईन ग्राम बंशी प्लाट सं० 304 की दक्षिणी सीमा के साथ साथ जाती है।

ग-घ लाईन ग्राम बंशी में प्लाट सं० 303, 302 और 301 की पूर्वी सीमा के साथ साथ जाती है।

घ-क लाईन ग्राम बंशी में प्लाट सं० 301 की उत्तरी सीमा के साथ साथ जाती है और आरम्भिक बिन्दु 'क' पर मिलती है।

उप-ब्लॉक-ड

सभी अधिकार

क्रम	ग्राम	तहसील	परगना	परगना	थाना	जिला	क्षेत्र	टिप्पणियां
सं०				सं०				

1.	बंशी	बुधी	सिंगरौली	8	मिस्त्रा मिर्जापुर	भाग		
					(खैरवा)			

कुल क्षेत्र: 5.90 एकड़

(लगभग)

या 2.39 हेक्टेयर्स

(लगभग)

ग्राम बंशी में अर्जित प्लाट संख्याएं

425, 426, 427, 428, 429, 430, 431 और 432 (भाग)।

सीमा वर्णन

ड-ड/-1 लाईनें ग्राम बंशी में प्लाट सं० 427 और 425 की पश्चिमी सीमा के साथ साथ प्लाट सं० 426 की उत्तरी और पश्चिमी सीमा के साथ साथ जाती है।

ड/1-ख-ड लाईनें ग्राम बंशी में प्लाट सं० 432 की आंशिक पश्चिमी सीमा के साथ-साथ प्लाट सं० 425 की दक्षिणी सीमा के साथ-साथ और फिर प्लाट सं० 432 से होकर जाती है जो कोयला अधिनियम की धारा 9 के अधीन अर्जित जोगीचौरा ब्लॉक की आंशिक रूप से सामान्य सीमा भी है।

छ.ज.ड. लाईनें ग्राम बंशी में प्लाट सं० 427 और 426 की पूर्वी सीमा के साथ-साथ, प्लाट सं० 431, 430 और 428 की उत्तरी सीमा के साथ साथ, प्लाट सं० 431 और 431 की दक्षिणी और पूर्वी सीमा के साथ साथ और प्लाट सं० 432 की आंशिक दक्षिणी सीमा के साथ साथ जाती है और आरम्भिक बिन्दु 'ड' पर मिलती है।

उप-ब्लॉक-ए

सभी अधिकार

क्रम	ग्राम	तहसील	परगना	परगना	थाना	जिला	क्षेत्र	टिप्पणियां
सं०				सं०				

1.	जामशीला बुधी	सिंगरौली	43	मिस्त्रा मिर्जापुर	भाग			
				(खैरवा)				

कुल क्षेत्र: 94.55 एकड़ (लगभग)

या 36.26 हेक्टेयर्स (लगभग)

ग्राम जामशीला में अर्जित प्लाट सं०

67, 68 (भाग), 69 से 72, 73 (भाग), 72 (भाग), 199 से 209 सीमा वर्णन

अ.अ.ड लाईनें ग्राम जामशीला में, प्लाट सं० 73, 77 और 78 से होकर प्लाट सं० 74 की आंशिक उत्तरी और आंशिक पूर्वी सीमा के साथ साथ, प्लाट सं० 66 की आंशिक उत्तरी और पूर्वी सीमा के साथ साथ और प्लाट सं० 68 से होकर जाती है, जो कोयला अधिनियम की धारा 9 के अधीन अर्जित जोगीचौरा ब्लॉक की आंशिक रूप से सामान्य सीमा भी है।

ड-ड लाईनें ग्राम जामशीला में प्लाट सं० 198 और 210 की उत्तरी सीमा के साथ साथ, प्लाट सं० 184 की पूर्वी सीमा के साथ साथ, प्लाट सं० 78 की आंशिक दक्षिणी सीमा के साथ साथ जाती है, जो कोयला अधिनियम की धारा 9 के अधीन अर्जित जोगीचौरा ब्लॉक की आंशिक रूप से सामान्य सीमा भी है।

ड.ड.ड लाईनें ग्राम जामशीला में पथ मागर कैचमेन्ट क्षेत्र की आंशिक पश्चिमी सीमा के साथ साथ जाती है।

ड-ड-ड लाईनें ग्राम जामशीला में प्लाट सं० 71, 70 और 69 की उत्तरी सीमा और प्लाट सं० 68 की आंशिक पश्चिमी सीमा के साथ साथ जाती है और आरम्भिक बिन्दु 'क' पर मिलती है।

[सं० 19(14)/76 सी० ई० एल०]

New Delhi, the 6th May, 1976

S.O. 1692.—Whereas by the notification of the Government of India in the Ministry of Steel and Mines (Department of Mines) No. S.O. 1855 dated the 12th July, 1974, issued under sub-section (i) of Section 7 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), i.e. Central Government gave notice of its intention to acquire lands in the locality specified in the Schedule appended to that notification;

And whereas the competent authority in pursuance of section 8 of the said Act has made his report to the Central Government;

And whereas the Central Government after considering the report aforesaid and after consulting the Government of Uttar Pradesh satisfied that the lands measuring 102.00 acres (approximately) or 39.28 hectares (approximately), described in the schedule appended hereto, should be acquired.

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 9 of the said Act, the Central Government hereby declares that the lands measuring 102.00 acres (approximately) or 39.28 hectares (approximately) described in the said schedule are hereby acquired.

2. The plans of the area covered by this notification may be inspected in the office of the Collector, Mirzapur (Uttar Pradesh) or in the Office of the Coal Controller, 1, Council House Street, Calcutta or in Office of the Central Coalfields Limited, (Revenue Section), Darbhanga House, Ranchi (Bihar).

SCHEDULE

Sub-Blocks D. E&F
Jogichowra Block
Bina & Singrauli V Project
Singrauli Coalfield (UP)
Drg. No. Rev/74/75
Dated 8-12-75
(showing area acquired)

Sub-Block-D All Rights

Sl. No.	Village	Tehsil	Pargana	Pargana No.
1.	Banshi	Dudhi	Singrauli	8

Sub-Block-E All Rights

Sl.No.	Village	Tahsil	Pargana	Pargana No.	Thana	Distt.	Area	Remarks
1.	Banshi	Dudhi	Singrauli	8	Misra (Khairwa)	Mirzapur	Part	
Total area :—							5.90	acres (approx.)
or							2.39	hect. (approx.)

Plot Nos. acquired in village Banshi
425, 426, 427, 428, 429, 430, 431 & 432(P).

Boundary description:

E-F/1	line passes along the northern & western boundary of plot no. 426 along western boundary of plot nos. 427 and 425 in village Banshi.
E/1-F-G	lines pass along the southern boundary of plot nos. 425 along part western boundary of plot no. 432 then through plot no. 432 in village Banshi which is also the part common boundary of Jogichowra Block acquired u/s 9 of the Coal Act.
G-H-E	lines pass along the part southern boundary of plot no. 432, along southern & eastern boundary of plot nos. 431 & 431 along northern boundary of plot nos. 431, 430 & 428, along eastern boundary of plot nos. 427 & 426 in village Banshi and meet at starting point 'E'.

Sub-Block-F All Rights

S.No.	Village	Tahsil	Pargana	Pargana No.	Thana	Distt.	Area	Remarks
1.	Jamsila	Dudhi	Singrauli	43	Misra (Khairwa)	Mirzapur	Part	
Total area :—							94.55	acres (approx.)
or							36.26	hectares (approx.)

Plot Nos. acquired in village Jamsila
67, 68(P), 69 to 72, 73(P), 72(P), 78(P), 199 to 209.

Boundary description:

I-J-K-	lines pass through plot nos. 68 along part northern and eastern boundary of plot no. 66 along part northern and part eastern boundary of plot no. 74, through plot nos. 73, 77 and 78 in vill. Jam sila, which is also the part common boundary of Jogichowra block acquired u/s 9 of the Coal Act.
K-L	line passes along part southern boundary of plot no. 78 along eastern boundary of plot no. 184 along northern boundary of plot nos. 198 and 210 in village Jamsila which is also the part common boundary of Jogichowra block acquired u/s 9 of the Coal Act.
L-M-N	lines pass along the part western boundary of Panth Sagar Catchment area in village Jamsila.
N-I	line passes along the northern boundary of plot nos. 71, 70, 69 and part western boundary of plot no. 68 in village Jamsila and meets at starting point 'I'.

नई दिल्ली, 7 मई, 1976

का० आ० 1693.—केन्द्रीय सरकार ने कोयला वाले क्षेत्र (भर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 7 की उपधारा (1) के अधीन, भारत सरकार के भूतपूर्व इस्पात और खान मंत्रालय (खान विभाग) की अधिसूचना सं० का० आ० 2371, तारीख 14 अगस्त, 1974 द्वारा, उस अधिसूचना से उपाख्य अनुसूची में विनिर्दिष्ट भूमियों को अर्जित करने के अपने आशय की सूचना दी थी;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 8 के अनुसरण में केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और केन्द्रीय सरकार का, पूर्वोक्त रिपोर्ट पर विचार करने के पश्चात् तथा बिहार सरकार से परामर्श करने के पश्चात्, समाधान हो गया है कि उक्त अधिसूचना की अनुसूची में वर्णित, 343.00 एकड़ (लगभग) या 138.06 हेक्टेयर (लगभग) माप की भूमियां अर्जित की जानी चाहिये;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 9 की उपधारा (1) के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, घोषणा करती है कि उक्त अनुसूची में वर्णित 343.00 एकड़ (लगभग) या 138.06 हेक्टेयर (लगभग) माप की भूमियां इसके द्वारा अर्जित की जाती हैं;

2. इस अधिसूचना के अन्तर्गत आने वाले क्षेत्र के रेखाओं का निरीक्षण उपायुक्त, हजारीबाग (बिहार) के कार्यालय में या कोयला नियंत्रक, 1, कार्डिनल हाऊस स्ट्रीट, कलकत्ता के कार्यालय में या सेट्टल कोलफील्ड्स लिमिटेड (राजस्व अनुभाग), दरभंगा हाऊस, रांची (बिहार) के कार्यालय में किया जा सकेगा।

अनुसूची

खण्ड I

(उत्तर कर्णपुरा कोयला क्षेत्र)

(बिहार)

डा० सं० रा०/54/74

तारीख 27-12-1974

(जिसमें अर्जित भूमियां दर्शित हैं)

सभी अधिकार

क्रम सं०	ग्राम	धाना	धाना संख्या	जिला क्षेत्र	टिप्पणियां
1.	उरीमारी	बरकागांव	155	हजारीबाग	भाग
2.	गरसुला	"	157	"	"
3.	कुरकुट्टा	माण्डु	35	"	"
4.	गीदी	"	36	"	"
5.	वेयोर्िया	रामगढ़	48	"	"
	बरगांवा				
6.	सौदा	"	24	"	"
7.	साहल	"	23	"	"
कुल क्षेत्र :—183.00 एकड़ (लगभग)					
या 74.06 हेक्टेयर (लगभग)					

उरीमारी ग्राम में अर्जित प्लाट संख्या :—752

गरसुला ग्राम में अर्जित प्लाट संख्या :—2722

कुरकुट्टा ग्राम में अर्जित प्लाट संख्या :—629 (भाग)

गीदी ग्राम में अर्जित प्लाट संख्या :—666, 214, 339, 504 और 506 (भाग)

वेयोर्िया/बरगांवा ग्राम में अर्जित प्लाट संख्या :—1 (भाग)

सौदा ग्राम में अर्जित प्लाट संख्या :—1 (भाग)

साहल ग्राम में अर्जित प्लाट संख्या :—1 (भाग), 9 (भाग), 45, 101 (भाग) और 102

खण्ड—1 का सीमा वर्णन

ए—बी लाइन बामोदर नदी से होकर, अर्थात् उरीमारी ग्राम के प्लाट संख्या 752 की पश्चिमी सीमा के साथ-साथ और साहल और साकुल ग्रामों की प्रांशिक सामान्य सीमा के साथ-साथ जाती है।

बी—सी लाइन साहल ग्राम में बामोदर नदी के प्रांशिक दाहिने तट के साथ-साथ जाती है।

सी—डी लाइनें प्लाट संख्या 1 से होकर, बामोदर नदी की मध्य रेखा के साथ-साथ तथा साहल ग्राम में प्लाट सं० 9 से होकर [अर्थात् कोयला वाले क्षेत्र (भर्जन और विकास) अधिनियम, 1957 की धारा 9(1) के अधीन अर्जित साहल कोलियरी के सभी अधिकार वाले क्षेत्र की प्रांशिक सामान्य सीमा के साथ-साथ] जाती है।

एफ—जी लाइन साहल ग्राम में बामोदर नदी के प्रांशिक दाहिने तट के साथ-साथ जाती है।

जी—एच—लाइनें प्लाट संख्या 101 (बामोदर नदी) से होकर तथा आई बामोदर नदी की प्रांशिक मध्य रेखा के साथ-साथ (अर्थात् साहल और कुरकुट्टा, साहल या गीदी ग्रामों की प्रांशिक सामान्य सीमा के साथ-साथ जाती है (जो बामोदर नदी में खास कर्णपुरा कोलियरी के पट्टा क्षेत्र की प्रांशिक सामान्य सीमा है)।

आई—जे—लाइनें बामोदर नदी की मध्य रेखा के साथ-साथ और सौदा ग्राम के प्लाट संख्या 686 और 1 की प्रांशिक सामान्य सीमा के साथ-साथ (अर्थात् गीदी और सौदा ग्राम की प्रांशिक सामान्य सीमा के साथ-साथ जाती है जो सौदा कोलियरी के लिए बामोदर नदी में 25.98 एकड़ के बालुपट्टा क्षेत्र की सामान्य सीमा है।

के—एल—लाइनें प्लाट संख्या 1 (बामोदर नदी) से होकर [अर्थात् एम कोयला वाले क्षेत्र (भर्जन और विकास) अधिनियम, 1957 की धारा 9 (1) के अधीन अर्जित सौदा कोलियरी के सब अधिकार वाले क्षेत्र की प्रांशिक सामान्य सीमा के साथ-साथ] जाती है।

एम—एन—लाइनें सौदा ग्राम के प्लाट संख्या 1 (बामोदर नदी) और ओ—पी प्लाट सं० 23 (नकारी नदी) की सामान्य सीमा, सौदा --न्यू प्राइ के प्लाट संख्या 1 और वेयोर्िया बरगांवा ग्राम के प्लाट संख्या 1 की प्रांशिक सामान्य सीमा के साथ-साथ, वेयोर्िया बरगांवा ग्राम के प्लाट संख्या 1 और गीदी ग्राम के प्लाट संख्या 506 से होकर जाती है (जो राष्ट्रीय कोयला विकास निगम लिमिटेड को बालु पट्टा के लिए दिए गए क्षेत्र की प्रांशिक सामान्य सीमा है)।

न्यू—आर लाइन गीदी और कुरकुट्टा ग्रामों में बामोदर नदी की प्रांशिक बाएँ तट के साथ-साथ जाती है।

भार-एस- लाइन कुरकुटा ग्राम में, बामोदर नदी के प्लाट संख्या 629
-टी-यू से होकर जाती है (जो कोयला वाले क्षेत्र अर्जन और विकास)
प्रधिनियम, 1957 की धारा 9 (1) के अधीन अर्जित क्षेत्र
के साथ प्रांशिक सामान्य सीमा है)।

यू-ए लाइन कुरकुटा, गरसुला और उरीमारो ग्रामों में बामोदर
नदी के प्रांशिक बाएं तट के साथ-साथ जाती है।

खण्ड II

सभी अधिकार

क्रम संख्या	ग्राम	थाना	थाना संख्या	जिला	क्षेत्र टिप्पणियाँ
1. गीदी	माण्डु		36	हजारीबाग	भाग
2. बुंदु	"		39	"	"
3. चौरधारा	रामगढ़		55	"	"
4. बण्डुआ	"		54	"	"

कुल क्षेत्र :—160.00 एकड़ (लगभग)

या :—64.00 हेक्टेरिया (लगभग)

गीदी ग्राम में अर्जित प्लाट संख्या :—514, 584 और 585.

बुंदु ग्राम में अर्जित प्लाट संख्या :—561 (भाग, और 647).

बण्डुआ ग्राम में अर्जित प्लाट संख्या :—1, 67 और 197.

चौरधारा ग्राम में अर्जित प्लाट संख्या :—1, 20, 25, 286 और 304.

खण्ड-II का सीमा वर्णन

बी-डब्ल्यू लाइन गीदी ग्राम के प्लाट संख्या 585 (नदी) की पश्चिमी
सीमा के साथ-साथ और बामोदर नदी में देओरिया बरगांवा
और बण्डुआ ग्रामों की सामान्य सीमा के साथ-साथ जाती है।

डब्ल्यू-एक्स लाइन बण्डुआ और चौरधारा ग्रामों में बामोदर नदी के बाहिने
किनारे के साथ-साथ जाती है।

एक्स-वाई लाइन चौरधारा ग्राम के प्लाट संख्या 304 और जेंगरा ग्राम
के प्लाट संख्या 1220 की सामान्य सीमा के साथ-साथ
जाती है।

वाई-जेड-ए लाइन बामोदर नदी की मध्य रेखा के साथ-साथ जाती है
जो चौरधारा और सिरका ग्रामों की प्रांशिक सामान्य सीमा,
बुन्दु ग्राम के प्लाट सं० 647 और बामोदर नदी में सिरका
ग्राम के प्लाट संख्या 1 की सामान्य सीमा है, जो कि सिरका
कोलियरी के पट्टा क्षेत्र की सामान्य सीमा बनाती है।

ए'-बी' लाइन बुंदु ग्राम में बामोदर नदी के प्रांशिक बाएं तट के
साथ-साथ जाती है।

बी'-सी' लाइन बुंदु ग्राम के प्लाट संख्या 561 से होकर जाती है।

सी'-डी' लाइन बामोदर नदी की प्रांशिक मध्य रेखा के साथ-साथ
जाती है (जो बुंदु और चौरधारा, चौरधारा और बसरिया
और बण्डुआ और बसरिया ग्रामों की प्रांशिक सामान्य सीमा है)।

डी'-ई' लाइन बसरिया ग्राम के प्लाट संख्या 434 और गीदी ग्राम
के प्लाट संख्या 514 की सामान्य सीमा साथ-साथ जाती है।

ई'-बी लाइन गीदी ग्राम में बामोदर नदी के प्रांशिक सामान्य बाएं
तट के साथ-साथ जाती है।

[सं० 25/5/73-सी 5/सी.ई.एल.]

एस० आर० ए० रिजर्वी, उप सचिव

New Delhi, the 7th May, 1976

S.O. 1693.—Whereas by the notification of the Government of India in the late Ministry of Steel & Mines (Department of Mines) No. S.O. 2371 dated the 14th August, 1974, under sub-section (1) of section 7 of the Coal Bearing Areas (Acquisition & Development) Act, 1957 (20 of 1957), the Central Government gave notice of its intention to acquire the lands specified in the schedule appended to that notification;

And whereas the competent authority in pursuance of section 8 of the said Act has made his report to the Central Government;

And whereas the Central Government, after considering the report aforesaid, and, after consulting the Government of Bihar is satisfied that the lands described in the schedule to the said notification the lands measuring 343.00 acres (approximately) or 138.06 hectares (approximately) described in the schedule appended hereto, should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 9 of the said Act, the Central Government hereby declares that the lands measuring 343.00 acres (approximately) or 138.06 hectares (approximately) described in the said schedule are hereby acquired.

2. The plans of the area covered by this notification may be inspected in the office of the Deputy Commissioner, Hazaribagh (Bihar) or in the office of the Coal Controller, 1, Council House Street, Calcutta or in the office of the National Coal Development Corporation Limited (Revenue Section) Darbhanga House, Ranchi (Bihar).

SCHEDULE

BLOCK I

(North Karanpura Coalfield)
(Bihar)

Drg. No. Rev/54/74
Dated 27-12-1974
(Showing lands acquired)

All Rights

Sl. No.	Village	Thana	Thana Number	District Area	Remarks
1. Urimari	.	Barkagaon	155	Hazaribagh	Part
2. Garsula	.	"	157	"	"
3. Kurkutta	.	Mandu	35	"	"
4. Gidi	.	"	36	"	"
5. Deoria Barganwa	.	Ramgarh	48	"	"
6. Sounda	.	"	24	"	"
7. Sael	.	"	23	"	"
Total Area :—183.00 acres (approximately) or :—74.06 hectares (approximately)					

Plot number acquired in village Urimari.—752.
 Plot number acquired in village Garsula:—2722.
 Plot number acquired in village Kurkutta:—629 (part).
 Plot numbers acquired in village Gidi:—666, 214, 339, 504, & 506 (part)
 Plot number acquired in village Deoria Barganwa:—1 (part).
 Plot number acquired in village Saunda:—1 (part).
 Plot numbers acquired in village Sael:—1 (part), 9 (part), 45, 101 (part) & 102.

BOUNDARY DESCRIPTION OF BLOCK-I:—

A-B line passes through River Damodar i.e. along the Western boundary of plot number 752 of village Urimari and along part common boundary of villages Sael and Sankul.
 B-C line passes along the part Right Bank of River Damodar in village Sael.
 C-D-E-F lines pass through plot number 1, along the Central line of River Damodar and through plot number 9 in village Sael (i.e. along the part common boundary of All Rights area of Sael Colliery acquired u/s 9(1) of Coal Bearing Areas (Acquisition & Development) Act, 1957.
 F-G line passes along the part Right Bank of River Damodar in village Sael.
 G-H-I lines pass through plot number 101 (River Damodar) & along the part Central line of River Damodar (i.e. along the part common boundary of villages Sael & Kurkutta, Sael & Gidi, (which forms part common boundary of lease area of Khas Karanpura Colliery in River Damodar).
 I-J-K lines pass along the Central line of River Damodar and along part common boundary of plot numbers 686 & 1 of village Saunda (i.e. along the part common boundary of village Gidi & Saunda) which forms common boundary with the Sand Lease area of 25.98 acres in River Damodar for Saunda Colliery.
 K-L-M lines pass through plot number 1 (River Damodar) (i.e. along the part common boundary of All Rights area of Saunda Colliery acquired u/s 9 (1) of Coal Bearing Areas (Acquisition & Development) Act, 1957.
 M-N-O-P-Q lines pass along the common boundary of plot number 1 (River Damodar) & plot number 23 (River Nakari) of village Saunda, part common boundary of plot number 1 of village Saunda & Plot number 1 of village Deoria Barganwa, through plot number 1 of village Deoria Barganwa & plot number 506 of village Gidi (which forms part common boundary with the area granted for sand lease to NCDC Ltd.).
 Q-R line passes along the part left Bank of River Damodar in villages Gidi & Kurkutta.
 R-S-T-U lines pass through plot number 629 of River Damodar, in village Kurkutta (which forms part common boundary with the area acquired u/s 9 (1) of Coal Bearing Area (Acquisition & Development) Act, 1957).
 U-A line passes along the part left Bank of River Damodar in Villages Kurkutta, Garsula and Urimari.

BLOCK-II**All Rights**

Sl. No.	Village	Thana	Thana Number	District Area	Remarks
1.	Gidi	Mandu	36	Hazaribagh	Part
2.	Bundu	"	39	"	"
3.	Chordhara	Ramgarh	55	"	"
4.	Dundua	"	54	"	"
			Total Area	—160.00 acres	(approximately)
			or	— 64.00 hectares	(Approximately)

Plot numbers acquired in village Gidi :— 514, 584 and 585.
 Plot numbers acquired in village Bundu :— 561 (part) and 647.
 Plot numbers acquired in village Dundua :— 1, 66 and 197.
 Plot numbers acquired in village Chordhara :— 1,20, 25, 286, and 304.

BOUNDARY DESCRIPTION OF BLOCK-II

V-W line passes along the Western Boundary of plot No. 585 (River) of Village Gidi and along the common boundary of village Deoria Barganwa & Dundua in River Damodar.
 W-X line passes along the Right Bank of River Damodar in villages Dundua & Chordhara.
 X-Y line passes along the common boundary of plot No. 304 of village Chordhara and 1220 of village Chaingara.
 Y-Z-A' lines pass along the Central line of River Damodar which is the part common boundary of village Chordhara & Sirka, common boundary of plot No. 647 of village Bundu & plot no. 1 of village Sirka in River Damodar, which forms common boundary of lease area of Sirka Colliery.
 A'-B' line passes along the part left bank of River Damodar in village Bundu.
 B'-C' line passes through plot no. 561 of village Bundu.
 C'-D' line passes along the part Central line of River Damodar (which is the part common boundary of villages Bundu & Chordhara, Chordhara & Basaria and Dundua & Basaria).
 D'-E' line passes along the common boundary of plot no. 434 of village Basaria and plot. no. 514 of village Gidi.
 E-V line passes along the part left bank of River Damodar in village Gidi.

स्वास्थ्य और परिवार नियोजन मंत्रालय

(स्वास्थ्य विभाग)

नई दिल्ली, 29 अप्रैल, 1976

क्रा० प्रा० 1694.—यतः भारतीय चिकित्सा परिषद अधिनियम, 1956 (1956 का 102) की धारा 3 की उपधारा (1) के खण्ड (क) का अनुसरण करते हुए तथा पंजाब सरकार के परामर्श से केन्द्रीय सरकार डा० मोहिनंदर सिंह ग्रेवाल, निदेशक, अनुसंधान और चिकित्सा शिक्षा, पंजाब को 12 मार्च, 1976 से भारतीय चिकित्सा परिषद का सदस्य मनोनीत करती है, अर्थात्

अतः अब उक्त अधिनियम की धारा 3 की उपधारा (1) का अनुसरण करते हुए केन्द्रीय सरकार एतद्वारा भारत सरकार के स्वास्थ्य और परिवार नियोजन मंत्रालय की 9 जनवरी 1960 की अधिसूचना संख्या—5-13/59-चिकित्सा-1 में प्रागे और निम्नलिखित संशोधन करती है; अर्थात्

उक्त अधिसूचना में "धारा 3 की उपधारा (1) के खण्ड (क) के अंशम मनोनीत" शीर्ष के अन्तर्गत क्रम संख्या 11 और उसके संबंधित प्रविष्टिओं के स्थान पर निम्नलिखित क्रम संख्या और प्रविष्टि रख ली जाए;

"11. डा० मोहिनंदर सिंह ग्रेवाल,
निदेशक, अनुसंधान और चिकित्सा शिक्षा,
पंजाब"।

[संख्या की० 11013/1/76-एम पी टी]

एस० श्रीनिवासन, उप सचिव

MINISTRY OF HEALTH & FAMILY PLANNING

(Department of Health)

New Delhi, the 29th April, 1976

SO. 1694.—Whereas the Central Government has, in pursuance of clause (a) of sub-section (1) of section 3 of the Indian Medical Council Act, 1956 (102 of 1956) and in consultation with the Government of Punjab, nominated Dr. Mohinder Singh Grewal, Director, Research and Medical Education, Punjab, to be a member of the Medical Council of India with effect from the 12th March, 1976;

Now, therefore, in pursuance of sub-section (1) of section 3 of the said Act, the Central Government hereby makes the following further amendment in the notification of the Government of India in the Ministry of Health and Family Planning No. 5-13/59-MI, dated the 9th January, 1960, namely :—

In the said notification, under the heading "Nominated under clause (a) of sub-section (1) of section 3", for Serial No. 11 and the entry relating thereto, the following Serial No. and entry shall be substituted, namely :—

"11. Dr. Mohinder Singh Grewal,
Director, Research and Medical Education,
Punjab."

[No. V-11013/1/76-MPT]

S. SRINIVASAN, Dy. Secy.

कृषि और सिंचाई मंत्रालय

(खाद्य विभाग)

नई दिल्ली, 26 मार्च, 1976

क्रा० प्रा० 1695.—फल उत्पाद प्रावेश, 1955 के खण्ड 3 के उपखण्ड (1) के अनुसरण में भारत सरकार 1-4-1976 से दो वर्ष की अवधि के लिए निम्नलिखित सदस्यों की केन्द्रीय फल उत्पाद सलाहकार समिति एतद्वारा गठित करती है, अर्थात्:—

- | | |
|---|---|
| 1. श्री भार० के० शास्त्री, संयुक्त सचिव, खाद्य विभाग, कृषि तथा सिंचाई मंत्रालय | अध्यक्ष |
| 2. डा० पी० के० कैमल, कार्यकारी निदेशक, खाद्य तथा पोषाहार बोर्ड, कृषि तथा सिंचाई मंत्रालय, खाद्य विभाग | उपाध्यक्ष |
| 3. श्री एस० एन० मित्रा, मैसर्स मित्रा एण्ड कं० प्रा० लिमिटेड, 33, बिपलवी रासबिहारी बासु रोड, कलकत्ता-700001 | सदस्य |
| 4. श्री ए० सी० बतारा, पि महाराष्ट्र एग्रो इंडस्ट्रीज डेवलपमेंट कार्पोरेशन लिमिटेड, नोगा कैन्ट्री, मोतीबाग, नागपुर (म० प्र०) | स्कवाश तथा तैयार परोपमेन लायक पेयों के निर्माताओं के प्रतिनिधि |
| 5. डा० एन० डी० देसाई, प्रबंध निदेशक, सरस फूड्स, 24, बेलबी सैयद अब्दुल्ला रोड, बम्बई-400001 | डिब्बाबंद फलों, सब्जियों, जैम, जेली, मारमलेड और टमाटर के पदार्थ निर्माताओं के प्रतिनिधि। |
| 6. श्री एम० पी० भार्गव, मैसर्स मिडलैण्ड्स फूट तथा बैजिटेबल्स प्रोडक्ट्स (इंडिया) प्राइवेट लिमिटेड, डाकघर भोखला इंडस्ट्रियल इस्टेट, नई दिल्ली-110020 | डिब्बाबंद फलों, सब्जियों, जैम, जेली, मारमलेड तथा टमाटर के पदार्थ निर्माताओं के प्रतिनिधि |
| 7. श्री नवरोज जी० कूका, अध्यक्ष, इंडियन फूड प्रोसेसिंग इंडस्ट्री एसोसिएशन, द्वारा अरबयों, 13/19 मीडोव स्ट्रीट, बम्बई-1 | सुरक्षा, चटनी तथा अचार के छोटे पैमाने के निर्माताओं के प्रतिनिधि |
| 8. श्री वाई० के० कपूर, मैसर्स नार्थलैंड इंडस्ट्रीज, 2254, राजगुरु रोड, नई दिल्ली-110055 | डिब्बाबंद फलों, सब्जियों, जैम, जेली तथा मारमलेड के छोटे पैमाने के निर्माताओं के प्रतिनिधि |
| 9. श्री फिरोज पी० पुन्डोले, मैसर्स इयूक एंड संस लिमिटेड, 2-ए, खेतवाडी मेन रोड, बम्बई-4 | फल रस या फल की लुगवी समेत या उसके बिना मोटा एरिटेड वाटर के निर्माताओं के प्रतिनिधि |
| 10. श्री बलजीत सिंह, निदेशक, प्योर फ्रिक्स (नई दिल्ली) लिमिटेड, कनाट मेन, कनाट प्लेस, नई दिल्ली-110001 | फल रस या फल की लुगवी समेत या उसके बिना मोटा एरिटेड वाटर के निर्माताओं के प्रतिनिधि |

- | | | | |
|--|---|--|--|
| 11. श्री पी० एच० भट्ट, मैसर्स कैरा डिस्ट्रिक्ट कोआपरेटिव मिल्क प्रोड्यूसर्स यूनियन लिमिटेड, ग्रानन्ध (गुजरात) | फल उत्पादों के निर्माण के में उपयुक्त तकनीकी योग्यता रखने वाला व्यक्ति | 3. Shri S.N. Mitra,
M/s. Mida & Co. Pvt. Ltd.,
33, Biplabi Rashbehari Basu
Road, Calcutta-700001 | Members
Representative of synthetic
syrup, vinegar, murabba,
chutney and pickles manu-
facturers. |
| 12. डा० ए० जी० नायक कुरादे, द्वारा सुमन फलस्टैट्स, 59-हेमकुल, नई दिल्ली-110048 | फल उत्पादों के निर्माण के बारे में उपयुक्त तकनीकी योग्यता रखने वाला व्यक्ति | 4. Shri A.C. Batra,
The Maharashtra Agro In-
dustries Development Cor-
poration Ltd., Noga Factory,
Motibagh, Nagpur (M.P.) | Representative of the squash
and ready-to-serve bevera-
ges manufacturers. |
| 13. श्री बी० बी० प्रोबराय, मैसर्स किसान प्रोडक्ट्स लिमिटेड, पोस्ट बाक्स न० 1676, प्रोल्ड मद्रास रोड, बंगलोर-560016 | फल तथा सब्जी उत्पादों के निर्यातकों के प्रतिनिधि | 5. Dr. N.D. Desai,
Managing Director,
Saras Foods, 24, Brelvi
Sayed Abdulla Road,
Bombay-400001. | Representative of manufac-
turers of canned fruits,
vegetables, jams, jellies,
marmalades and tomato
products. |
| 14. कर्नेल शिव किशोर, मटियाना गांव निवासी जिला शिमला (हिमाचल प्रदेश) | फल तथा सब्जी उत्पादकों के प्रतिनिधि | 6. Shri N.P. Bhargava,
M/s. Midlands Fruit & Vege-
tables Products (I) Pvt. Ltd.,
P.O. Okhla Industrial Estate,
New Delhi-110020. | Representative of manufac-
turers of canned fruits,
vegetables, jams, jellies,
marmalade and tomato
products. |
| 15. श्री भानुवार्मैया, श्री रंगपतना, जिला मंडिया | फल तथा सब्जी उत्पादकों के प्रतिनिधि | 7. Shri Naoroj D. Kooka, Pre-
sident, Indian Food Process-
ing Industry Association,
C/o. ARDEO, 13/19, Med-
ows street, Bombay-1. | Representative of small scale
manufacturers of murabba,
chutney and pickles. |
| 16. डा० बी० एल० प्रमला, निदेशक, केन्द्रीय खाद्य औद्योगिक अनुसंधान संस्थान, बी० बी० मोहला, मैसूर-570002 | केन्द्रीय खाद्य औद्योगिक अनुसंधान संस्थान, मैसूर के प्रतिनिधि | 8. Shri Y.K. Kapoor,
M/s. Northland Industries,
2254, Rajguru Road, New
Delhi-110055. | Representative of small scale
manufacturers of canned
fruits, vegetables, jams,
jellies and marmalades. |
| 17. श्री जे० पी० नौडियाल, निदेशक (भागवानी), कृषि विभाग, कृषि भवन नई दिल्ली | भारत सरकार के कृषि आयुक्तों के प्रतिनिधि | 9. Shri Pheroze P. Pundole,
M/s. Duke & Sons Ltd.,
2-A, Khetwadi Main Road,
Bombay-4. | Representative of manufac-
turers of Sweetened Aerated
Waters with or without
fruit juice or fruit pulp. |
| 18. श्री डी० एस० लड्डा, सचिव, केन्द्रीय खाद्य मानक समिति, स्वास्थ्य सेवाओं का महानिदेशालय, निर्माण भवन, नई दिल्ली-110011 | स्वास्थ्य तथा परिवार नियोजन मंत्रालय के प्रतिनिधि | 10. Shri Daljit Singh,
Director, Pure Drinks,
(New Delhi) Ltd.,
Cannaught Lane, Cannau-
ght Place, New Delhi-110001. | Representative of manufac-
turers of Sweetened Aerated
Waters with or without fruit
juice or fruit pulp. |
| 19. श्री टी० पूर्णानन्द, हैड (कृषि तथा खाद्य) भारतीय मानक संस्थान, मानक भवन, 9-बहादुर शाह जफर मार्ग, नई दिल्ली। | भारतीय मानक संस्थान के प्रतिनिधि | 11. Shri P.H. Bhatt,
M/s. Kaira District Coopera-
tive Milk Producers Union
Ltd., Anand (Gujarat). | Person possessing suitable
technical qualifications with
regard to the manufacture
of fruit products. |
| 20. श्री दया नन्द, निदेशक (फल तथा सब्जी परिरक्षण) खाद्य विभाग, कृषि तथा सिंचाई मंत्रालय, नई दिल्ली। | सदस्य सचिव | 12. Dr. A.G. Naik Kurade,
C/o. Suman Consultants,
59, Hemkunt, New Delhi-
110048. | Person possessing suitable
technical qualifications
with regard to the manu-
facture of fruit products. |

[संख्या 9/2/75-एफ० एन० बी०-4]
टी० प्रार० परमेश्वरन, उप सचिव

MINISTRY OF AGRICULTURE & IRRIGATION (Department of Food)

New Delhi, the 26th March, 1976

S.O. 1695.—In pursuance of sub-clause (i) of clause 3 of the Fruit Products Order, 1955, the Central Government hereby constitutes for a period of two years with effect from 1-4-1976 the Central Fruit Products Advisory Committee consisting of the following members, namely :

- | | | | |
|---|---------------|--|---|
| 1. Shri R.K. Shastri,
Joint Secretary
Department of Food, Mi-
nistry of Agriculture &
Irrigation. | Chairman | 13. Shri V.B. Oberoi,
M/s. Kissan Products Ltd.,
Post Box No.1676, Old
Madras Road, Bangalore-
560016. | Representative of the expor-
ters of fruit and vegetable
products. |
| 2. Dr. P.K. Kymal,
Executive Director,
Food & Nutrition Board,
Department of Food, Mi-
nistry of Agriculture and
Irrigation. | Vice-Chairman | 14. Col. Shiv Kishore,
Resident of Village Matian a
Distt. Simla (H.P.) | Representative of fruit and
vegetable growers. |
| | | 15. Shri Anandaramayya,
Srirangapatna, Distt.
Mandya. | Representative of fruit and
vegetable growers. |
| | | 16. Dr. B.L. Amla,
Director,
Central Food Technological
Research Institute, V.V.
Mohalla, Mysore-570002. | Representative of Central
Food Technological Resear-
ch Institute, Mysore. |
| | | 17. Shri J.P. Nauriyal,
Director, (Horticulture),
Department of Agriculture,
Krishi Bhavan, New Delhi. | Representative of the Agricul-
tural Commissioner to the
Government of India. |

18. Shri D.S. Chaddha,
Secretary,
Central Committee for Food
Standards, Directorate Ge-
neral of Health Services,
Nirman Bhavan, New
Delhi-110011.

Representative of Ministry of
Health and Family Plann-
ing.

9. Bahadur Shah Zafar Marg,
New Delhi-110001.

20. Shri Daya Nand, Member-Secretary
Director (Fruit & Vegetable
Preservation), Department
of Food, Ministry of Agricul-
ture and Irrigation, New Delhi.

19. Shri T. Purananandam,
Head (Agri. & Food),
Indian Standards Institu-
tion, Manak Bhavan,

Representative of Indian
Standards Institution.

[No. 9/2/75-FNB.IV]

T. R. PARAMESHWARAN, Dy. Secy.

(ग्राम विकास विभाग)

नई दिल्ली, 29 अप्रैल, 1976

का० प्रा० 1696.—केन्द्रीय सरकार, कृषि उपज (श्रेणीकरण और अंकन) अधिनियम, 1937 (1937 का 1) की धारा 3 द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, सोफ (साबुत और पिसी हुई), मेथी (साबुत और पिसी हुई) और सेलेरी सीड (साबुत) श्रेणीकरण और अंकन नियम, 1967 में कतिपय और संशोधन करना चाहती है। जैसा कि उक्त धारा में अपेक्षित है, प्रस्तावित संशोधन नियमों का निम्नलिखित प्रारूप उन सभी व्यक्तियों की जानकारी के लिये प्रकाशित किया जा रहा है जिनके उससे प्रभावित होने की संभावना है। इसके द्वारा सूचना दी जाती है कि उक्त प्रारूप पर हम अधिसूचना के राजपत्र में प्रकाशन की तारीख से पैंतालीस दिन की समाप्ति पर या उसके पश्चात् विचार किया जायेगा।

उपरोक्त अधिध की समाप्ति से पूर्व संशोधन के उक्त प्रारूप की बाबत जो भी आक्षेप या सुझाव किसी व्यक्ति से प्राप्त होगा, केन्द्रीय सरकार उस पर विचार करेगी।

नियमों का प्रारूप

1. (1) ये नियम सोफ (साबुत और पिसी हुई) मेथी (साबुत और पिसी हुई) और सेलेरी सीड (साबुत) श्रेणीकरण और अंकन (संशोधन) नियम, 1967 हैं।

(2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।

2. सोफ (साबुत और पिसी हुई), मेथी (साबुत और पिसी हुई) और सेलेरी सीड (साबुत) श्रेणीकरण और अंकन नियम, 1967 में,—

(क) अनुसूची III के स्थान पर, निम्नलिखित अनुसूची रखी जायेगी, अर्थात्:—

अनुसूची-III

(नियम 3 और 4 देखिए)

सौफ पाउडर का श्रेणी अभिधान और क्वालिटी की परिभाषा

श्रेणी अभिधान	विशेष लक्षण				सामान्य लक्षण
	नमी, भार द्वारा प्रतिशत, अधिकतम	कुल भस्म भार द्वारा प्रतिशत, अधिकतम	अम्ल अविलेय भस्म भार द्वारा प्रतिशत अधिकतम	वाष्पशील तेल, भार द्वारा, प्रतिशत न्यूनतम	
1	2	3	4	5	6
मानक	12.0	9.0	2.0	1.0	सौफ पाउडर, सूखे पके साबुत सोफ फलों को पीस कर प्राप्त किया हुआ पदार्थ होगा। वह अधिमिश्रण से मुक्त, फफूँदी, कीटप्रसून या फफूँद वार गन्ध से मुक्त होगा। वह स्थल कणों से मुक्त होगा और इतना बारीक पिसा हुआ होगा कि वह पूरा का पूरा 500 माइक्रोन आकार की जाली में से निकल जाये।

(ख) अनुसूची V के स्थान पर, निम्नलिखित अनुसूची रखी जायेगी, अर्थात् :-

अनुसूची V

(नियम 3 और 4 देखिए)

मेथी पाउडर का श्रेणी अभिधान और ब्वालिटी की परिभाषा

श्रेणी अभिधान	विशेष लक्षण				सामान्य लक्षण
	नमी, भार द्वारा प्रतिशत अधिकतम	कुल भस्म, भार द्वारा प्रतिशत अधिकतम	अम्ल अविलेय भस्म भार द्वारा प्रतिशत अधिकतम	कुल शीतल जल विलेय सख, भार द्वारा प्रतिशत, न्यूनतम	
1	2	3	4	5	6
मानक	10 0	7.0	2.0	30 0	मेथी पाउडर, सूखे पके साबुत मेथी बीजों को पीसकर प्राप्त किया हुआ पदार्थ होगा। वह अधिमिश्रण से मुक्त, फफूंदी, कीट-प्रसन या फफूंदेदार गन्ध से मुक्त होगा। वह स्थूल कणों से मुक्त होगा और इतना बारीक पिसा हुआ होगा कि वह पूरा का पूरा 500 माइक्रान की जासी में से निकल जाये।"

[क्र० सं० 13-14/75-ए० एम०]

आर० एन० बख्शी, अवर सचिव

(Department of Rural Development)

New Delhi, the 29th April, 1976

S.O. 1696.—The following draft of certain rules further to amend the Fennel (Whole and Ground) Fenugreek (Whole and Ground) and Celery Seeds (Whole) Grading and Marking Rule 1967, which the Central Government proposes to make in exercise of the powers conferred by section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937), is hereby published as required by the said section for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after the expiry of a period of forty-five days from the date of publication of this Notification in the Official Gazette.

Any objection or suggestion which may be received from any person with regard to the said draft amendment before the expiry of the period so specified will be considered by the Central Government.

DRAFT RULES

1. (1) These Rules may be called Fennel (Whole and Ground), Fenugreek (Whole and Ground) and Celery Seed (Whole) Grading and Marking (Amendment) Rules, 1976.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Fennel (Whole and Groundnut), Fenugreek (Whole and Groundnut) and Celery Seed Grading and Marking Rules, 1967,—

(a) for Schedule III, the following Schedule shall be substituted, namely :—

"SCHEDULE-III"

(See rules 3 and 4)

Grade designation and definition of quality of Fennel Power

Grade Designation	Special characteristics				General characteristics
	Moisture, percentage by weight maximum	Total Ash, percentage by weight maximum	Acid insoluble ash, percentage by weight maximum	Volatile oil, percentage by weight minimum	
1	2	3	4	5	6
Standard	12.0	9.0	2.0	1.0	Fennel powder shall be the material obtained by grinding the dried ripe fennel fruits, whole. It shall be free from admixture from mould growth, insect infestation or musty odour. It shall be free from coarse particulars and ground to such a fineness that the whole of it passes through a 500-micron size-mesh";

(b) for Schedule V, the following Schedule shall be substituted, namely :—

"SCHEDULE-V"

(See rules 3 and 4)

Grade designation and definition of quality of Fenugreek Powder

Grade Designation	Special characteristics				General Characteristics
	Moisture, percentage by weight maximum	Total Ash, percentage by weight maximum	Acid insoluble, percentage by weight maximum	Total cold water soluble extract, percentage by weight minimum	
1	2	3	4	5	6
Standard	10.0	7.0	2.0	30.0	Fenugreek powder shall be the material obtained by grinding the dried ripe fenugreek seeds, whole. It shall be free from admixture, free from mould growth, insect infestation or musty odour. It should be free from coarse particles and ground to such a fineness that the whole of it passes through a 500-micro size mesh";

(कृषि विभाग)

नई दिल्ली, 26 अप्रैल, 1976

आदेश

[No. F.-13-14/75-AM]

R. N. BAKSHI, Under Secy.

(Department of Agriculture)

New Delhi, the 26th April, 1976

ORDER

क्र० आ० 1697.—राष्ट्रपति केन्द्रीय सिविल सेवा (वर्गीकरण, नियंत्रण तथा अपील) नियम, 1965 के नियम 24 के उप-नियम (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देते हैं कि—

- कृषि, विभाग में साधारण केन्द्रीय सेवा, समूह 'ग' पदों,
- कृषि विभाग के सलग्न और अधीनस्थ कार्यालयों में वहाँ के सिवाय जहाँ कार्यालय का प्रधान विभाग के प्रधान अधिकारी का अधीनस्थ हो, साधारण केन्द्रीय सेवा, समूह 'ग' पदों,
- कृषि विभाग के सलग्न और अधीनस्थ कार्यालयों में वहाँ के सिवाय जहाँ कार्यालय का प्रधान विभाग के प्रधान अधिकारी का अधीनस्थ हो, साधारण केन्द्रीय सेवा, समूह 'ब' पदों और
- कृषि विभाग के सलग्न/अधीनस्थ कार्यालयों में जहाँ कार्यालय का वहाँ के सिवाय जहाँ कार्यालय का प्रधान विभाग के प्रधान अधिकारी का अधीनस्थ हो, परन्तु विभाग के प्रधान अधिकारी ने अनुशासनिक प्राधिकारी को हैसियत से कार्य किया हो, साधारण केन्द्रीय सेवा, समूह 'ग' और समूह 'ब' पदों,

के संबंध में उक्त नियमों से उपावृत्त अनुसूची के भाग 3 को मब 4(1) और 4(2) और भाग 4 की मब 1(2) स्तम्भ 6 में विहित उपबन्धों के आधार पर अपील प्राधिकारी की हैसियत से कृषि विभाग के सचिव द्वारा प्रयोग की जा रही शक्तियों का प्रयोग इस अधिसूचना के प्रकाशन की तारीख से निम्नलिखित कार्यालयों अर्थात्—

- दिल्ली दुग्ध योजना,
- कृषि मूल्य आयोग
- वन अनुसन्धान संस्थान एवं महाविद्यालय को छोड़कर, कृषि विभाग में प्रशासन के कार्यकारी संयुक्त सचिव द्वारा किया जाएगा।

[संख्या 50-56/73-अ० स्था० 3]

रा० सुब्रह्मण्यम्, धवरसचिव

S.O. 1697.—In exercise of the powers conferred by sub-rule (1) of rule 24 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965, the President hereby directs that in respect of—

- General Central Service, Group 'C' posts, in the Department of Agriculture,
- General Central Service, Group 'C' posts, in Attached and Subordinate Offices of the Department of Agriculture, except where the Head of Office is subordinate to a Head of Department,
- General Central Service, Group 'D' posts, in Attached and Subordinate Offices of the Department of Agriculture, except where the Head of Office is Subordinate to a Head of Department, and
- General Central Service, Group 'C' and Group 'D' posts in Attached/Subordinate Offices of the Department of Agriculture where the Head of Office is subordinate to a Head of Department but the Head of Department has acted as disciplinary authority,

the powers exercised by the Secretary, Department of Agriculture, as the Appellate Authority by virtue of the provisions contained in column 6 of Item 4(i) and (ii) of Part III, and Item 1(ii) of Part IV, of the Schedule to the said rules shall be exercised by the Joint Secretary incharge of Administration in the Department of Agriculture with effect from the date of publication of this notification, except in the case of the following offices namely :—

- Delhi Milk Scheme,
- Agricultural Prices Commission,
- Forest Research Institute & Colleges,

[No. 50-56/73-EE. III]

R. SUBRAHMANYAM, Under Secy.

संचार संचालय

(डाक-तार कोड)

नई दिल्ली, 7 मई, 1976

क्र० आ० 1698 —स्थायी आदेश संख्या 627, दिनांक 8 मार्च, 1960 द्वारा लागू किए गए भारतीय तार नियम, 1951 के

नियम 434 के खंड III के पैरा (क) के अनुसार डाक-तार महानिदेशक ने ईडर टेलीफोन केन्द्र में विनांक 1-6-76 से प्रमाणित दर प्रणाली लागू करने का निश्चय किया है।

[संख्या 5/11/76-पीएचबी]

MINISTRY OF COMMUNICATIONS
(P&T Board)

New Delhi, the 7th May, 1976

S.O. 1698.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General, Posts and Telegraphs, hereby specifies the 1-6-76 as the date on which the Measured Rate System will be introduced in Idar Telephone Exchange, Gujarat Circle.

[No. 5-11/76-PHB]

नई दिल्ली, 10 मई, 1976

का० प्रा० 1699.—प्रख्यायी आदेश संख्या 627, दिनांक 8 मार्च, 1960 द्वारा लागू किए गए भारतीय तार नियम, 1951 के नियम, 434 के खंड III के पैरा (क) के अनुसार डाक-तार महानिदेशक ने बलिया टेलीफोन केन्द्र में विनांक 1-6-76 से प्रमाणित दर प्रणाली लागू करने का निश्चय किया है।

[संख्या 5-3/76 पीएचबी]

पी० सी० गुप्ता, महायक महानिदेशक (पी० एच० बी)

New Delhi, the 10th May, 1976

S.O. 1699.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General, Posts and Telegraphs, hereby specifies the 1-6-76 as the date on which the Measured Rate System will be introduced in Ballia Telephone Exchange, U.P. Circle.

[No. 5-3/76-PHB]

P C. GUPTA, Assistant Director General (PHB)

अस संज्ञास्य

आदेश

नई दिल्ली, 28 फरवरी, 1976

का० प्रा० 1700.—केन्द्रीय सरकार की राय है कि इससे उपाबद्ध अनुसूची में विनिर्दिष्ट विषयों के बारे में पंजाब नेशनल बैंक के प्रबंधन से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच एक औद्योगिक विवाद विद्यमान है;

और केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वाछनीय समझती है;

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त विवाद को उक्त अधिनियम की धारा 7 के अधीन गठित औद्योगिक अधिकरण, कलकत्ता को न्यायनिर्णयन के लिए निर्देशित करती है।

21 GI/76-4

अनुसूची

क्या पंजाब नेशनल बैंक के प्रबंधन की उक्त बैंक के चालक, श्री गोলাম दस्तागीर की सेवाएं 27 मई, 1976 से समाप्त करने की कार्यवाही न्यायोचित है? यदि नहीं, तो उक्त कर्मकार किस अनुसूच का हकदार है?

[संख्या एल-12012/152/75-डी-II/ए]

MINISTRY OF LABOUR

ORDER

New Delhi, the 28th February, 1976

S.O. 1700.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Punjab National Bank and their workman in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Calcutta constituted under section 7A of the said Act.

THE SCHEDULE

Whether the action of the Management of the Punjab National Bank is justified in terminating the services of Shri Golam Dastagir, Driver of the said Bank with effect from the 27th May 1975? If not, to what relief is the said workman entitled?

[No. L-12012/152/75/DII/A]

आदेश

नई दिल्ली, 11 मार्च, 1976

का० प्रा० 1701.—केन्द्रीय सरकार की राय है कि इससे उपाबद्ध अनुसूची में विनिर्दिष्ट विषयों के बारे में भारतीय स्टेट बैंक से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच एक औद्योगिक विवाद विद्यमान है;

और केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वाछनीय समझती है;

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7 की उपधारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एक औद्योगिक अधिकरण गठित करती है जिसके पीठासीन अधिकारी श्री टी० नरसिंह राव होंगे, जिनका मुख्यालय हैदराबाद में होगा और उक्त विवाद को उक्त अधिकरण को न्यायनिर्णयन के लिए निर्देशित करती है।

अनुसूची

क्या भारतीय स्टेट बैंक, हैदराबाद के प्रबंधन द्वारा 23 जुलाई, 1975 से श्री पारस रामुला, संदेशवाहक की सेवा समाप्त करना न्यायोचित है? यदि नहीं, तो उक्त कर्मकार किस अनुसूच का हकदार है;

[सं० एल-12012/168/75-डी-II-ए]

ORDER

New Delhi, the 11th March, 1976

S.O. 1701.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the State Bank of India and their workman in respect of the matter specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by section 7A, and clause (d) of sub-section (1) of section 10, of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri T. Narasing Rao shall be the Presiding Officer, with headquarters at Hyderabad and refers the said dispute for adjudication to the said Tribunal.

THE SCHEDULE

Whether the termination of service with effect from the 23rd July, 1975 of Shri Parasha Ramula, Messenger, by the Management of the State Bank of India, Hyderabad is justified? If not, to what relief is the said workman entitled?

[No. L-12012/168/75/D.II/A]

New Delhi, the 3rd May, 1976

S.O. 1702.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal Andhra Pradesh, Hyderabad in the industrial dispute between the employers in relation to the Management of State Bank of Hyderabad and their workmen, which was received by the Central Government on the 26th April, 1976.

BEFORE THE INDUSTRIAL TRIBUNAL (CENTRAL)
AT HYDERABAD

PRESENT:

Sri T. Narasing Rao, M.A., LL.B., Industrial Tribunal, Hyderabad.

Industrial Dispute No. 45 of 1975

BETWEEN

Workmen of State Bank of Hyderabad, Head Office, Gunfoundry, Hyderabad.

AND

The Management, State Bank of Hyderabad, Head Office, Gunfoundry, Hyderabad.

APPEARANCES:

Sri K. Satyanarayana, Advocate—for Workmen.

Sri K. Srinivasa Murthy, Advocate—for Management.

AWARD

The Government of India in Ministry of Labour through Notification No. L-12012/105/75/DII/A dated 27th October, 1975 referred the industrial dispute between the employers in relation to the State Bank of Hyderabad and their workmen under Section 7A and 10(1)(d) of the Industrial Disputes Act, 1947 (which would hereinafter be called the Act) to the Tribunal for adjudication on the following issue:

"Whether the action of the management of the State Bank of Hyderabad Head Office, Gunfoundry Hyderabad, in terminating the services of Shri Jagath Pershad, Ex-Godown Watchman, in November 1974 without taking into account his previous service is legal and justified? If not, to what relief is the said workman entitled?"

2. The reference was registered as Industrial Dispute No. 45 of 1975 and notices were directed to the claimant and to the Management. The claimant filed claims statement alleging that he was appointed as a Watchman temporarily in the State Bank of Hyderabad, City Branch, Patterghati Hyderabad from 13th August, 1970 to 29th December, 1973 but again he was appointed temporarily as Godown Chowkidar from 8th January 1974 to 19th November 1974 at Gunfoundry office on his representation. Thus first he worked for three years and five months continuously with 18 days break in service and on his subsequent appointment in the month of January, 1974, he worked for eight months only with a break of seven days. It is alleged by him that the post on which he was working was a permanent one, and that inspite of continuous service of four years and one month his services were terminated and some other persons were employed in his place. The Manager of the State Bank of Hyderabad, City Branch Patterghati through his letter dated 3-7-1973 is said to have recommended for absorption on appointment of this claimant in the permanent establishment of the Bank. On the termination of his service the claimant is said to have also made an application on 3rd December 1974 for absorption or appointment as godown chowkidar or watchman on the permanent establishment of the Bank. On account of termination the claimant his family is said to be put to great difficulty. It is however contended that as per the All India Industrial Tribunal Award and as per bipartite Settlement he is to be deemed a confirmed workman. As per Clause 20.8 of the Bipartite Settlement it is said that he is liable for permanent appointment. It is thus prayed that by taking his previous service into account his reinstatement is to be directed with back wages and other attendant benefits.

3. In the counter filed by the Management it is inter alia alleged that there was no industrial dispute within the meaning of Section 2-A or 2(K) of the Act, so that the Tribunal could adjudicate upon. The reference is said to be erroneous and does not give jurisdiction to the Tribunal. It is contended that there was no termination of the services of the claimant by the Respondent in November 1974 and consequently the validity or otherwise of the action of the Respondent does not arise. The reference is said to be contrary to the very plea of the claimant which is now contained in the claims statement which was initially addressed to the Commissioner of Labour. Thus it is contended that the proceedings are to be dismissed in limine as not maintainable. It is alternatively contended that the claimant is not entitled to the relief asked for by him in his application on 29th April, 1975 addressed to the Commissioner, which is also the claims statement now filed. Para 20.8 of the Bipartite Settlement is said to have no application as the claimant was not appointed in any permanent vacancy and that the claimant is also not qualified for such appointment having regard to the Banks recruitment Rules. The claimant is said to have not completed one year service as temporary godown Watchman. It is also contended that Desai's Award does not provide for absorption in permanent service of a temporary godown chowkidar appointed for looking after the godowns of the constituents of the Bank to whom loans were advanced by it. The claimant is said to have been appointed temporarily from time to time during the year 1974 as Godown Chowkidar to look after the godowns of one of the constituents of the Bank availing facilities at its Gunfoundry office. The services of the claimant, it is contended, stood automatically terminated by efflux of time as per the appointment order dated 20th September 1974. On the basis of the temporary appointment, it is contended that the claimant cannot have a right for permanent absorption. It is also averred that Clauses 20.9 and 10.10 of the Bipartite Settlement have no application. During the years 1970-71, 1972-73 the claimant is alleged to have been appointed as a casual on daily wage basis to look after the godown of one M/s. Mahmoodia Printing Press of the Patterghati Branch. That appointment is said to be on casual basis and cannot be treated as a permanent vacancy in as much as the goods or the machinery stored in that godown were held only as a security for the advances made by the Bank to that party. It is contended that there was no permanent basis of godown chowkidar required by that Branch in relation to godown of Mahmoodia Printing Press or any other godown of the constituent availing facility at the city branch or the Gunfoundry office where the claimant was subsequently appointed on temporary basis during the year 1974. It is thus contended that there was no permanent post of Godown chowkidar either at the city

Branch or Gunfoundry Branch. The appointment of the claimant is said to have been for a specific work and for a specific period and that the employment automatically came to an end on the expiry of such period and consequently there was no termination of the services of the claimant and thus no question of reinstatement or permanent employment of the claimant would arise. It is contended that merely because the claimant was appointed temporarily on more than one occasion in relation to a particular work of temporary nature he has no right for permanent absorption. It is also contended that the claimant is not qualified and does not satisfy the recruitment rules for being absorbed permanently in the service of the Bank. It is however denied that the claimant was working in any permanent post as alleged by him in his claims statement. Thus the dismissal of the claim was sought.

4. The claimant filed a rejoinder contending that the relevant considerations for deciding the issue in question were as to what was the previous service of the claimant and whether it was continuous and whether he was employed in a post of a permanent nature and whether the previous service if held to be continuous would give him the right to continue in service. The contention of the Management that the reference is bad is said to be an out dated technical approach. The claimant's wages as per his appointment on 13-7-1970 were said to be daily rated, on a basis of Rs. 5.00 per day paid once in a month. It is however denied that his employment at that stage was casual as he was not employed merely for a day or two. The supervision of the godowns of the constituents to whom the Bank advances loans is said to be work of a regular nature, as securing hypothecation of the loanes property as a guarantee is said to be vital and regular function of the Bank. Thus the claimant is said to have been continuously employed from 13-8-1970 to 19-11-1974 with artificial breaks deliberately given by the Management for short periods so as to dub each employment as a fresh employment. It is however averred that it is incorrect to say that the claimant was employed for a specific period or specific work for watching the godowns of the third party constituents. It is contended that the watch of the Godowns of the constituents is of a regular nature. The appointment shown as temporary is said to be illegal and iniquitable. The Tribunal is said to be vested with jurisdiction to scrutinise the nature of the work and duties entrusted to the claimant and thus determine his claim for permanency. It is also contended that it is not open to the Respondent to contend that the claimant is not qualified to be absorbed into the permanent service of the Respondent in as much as the very Respondent has been employing the claimant for long years and it is therefore estopped by principles of equity and law. The artificial breaks of 18 days in a continuous service of three years five months are said to be mala fide creations. It is also contended that the three months continuous service to the satisfaction of the Management would entitle an employee for being considered for permanency in the Bank service. Even otherwise the continuous service of 240 days in a calendar year would confer permanency under the industrial law. The service of the claimant for 3-1/2 years cannot be construed as casual or temporary. The Respondent, it is contended cannot invoke at a belated stage the recruitment rules, when it is engaged in all round expansion programme. It is also claimed that the reinstatement of the claimant with back wages would only be in conformity with principles of equity and social justice and the changing law of the land. Thus the prayer for reinstatement with back wages was reiterated.

5. The claimant examined himself as W.W. 1 and relied upon Ext. W1 to W11. In rebuttal the Management examined M.W. 1, is Officer working in the Staff Department and relied upon Exs. M1 to M9 by way of documentary evidence.

6. The grievance of the workman is that the Management terminated his services in November 1974 without taking into account his previous service. The workman till the date of his termination of service was admittedly a Godown Watchman. The practice of the Bank as deposed by M.W.1 is that the Bank advances loans to its constituents on hypothecation of certain properties as security. The properties thus hypothecated would be under the custody of the Bank till the loan is cleared by the constituent. The Godown Watchman are employed by the Bank to watch the godowns and their charges though initially paid by the Bank are recovered from the Loanes. Its however, follows that the appointment of the Watchman or the godown keeper is by

the Bank itself. Ex.W2 is a certificate issued by the Manager of the Branch which shows that from the date of appointment in August 1970 the claimant was continuing till June 28th, 1973 and even thereafter with a few breaks of two days in the month of January, 1971, and two days break in the month of August, 1971, and two days break in December 1971, and two days break in the month of March 1972, and two days break in May 1972, and 2 days break in August 1972, and two days break in October, 1972 and two days break in January, 1973. Thereafter till the end of 1973 there were no breaks whatsoever. Admittedly his services were terminated on 29th December 1973. On an application filed by the claimant on 1-1-1974 as per Ex.W4 he was appointed as Godown Chowkidar to watch Jay Industries, Hyderabad from 8th January 1974. That appointment was a temporary appointment for two months ending with 7th March 1974. From 11th March 1974 again he was appointed upto 10th May 1974. From 13th May 1974 he was appointed upto 12th July 1974. From 17th July 1974 he appointed upto 16th September 1974. The last appointment was from 20th September 1974 to 19th November 1974, on which date his services were terminated. It is averred in the counter that from 1970 to 1973 the Petitioner-claimant was appointed on daily wages at the Godown of one party M/s. Mahmoodia Printing Press of the Pattarghatti Branch. Thus upto the end of 1973 December the claimant was working as a Godown Watchman of that constituent with a few breaks of service not exceeding two days at a time. From 8th January 1974 to 19th November 1974 there were in all three breaks not exceeding four days at any time. I may here itself note that it is not the case of the Respondent-Management that during the those break of service of the claimant between 1970 to 1973 or 8th January 1974 to 19th November 1974 any other Watchman was employed at the respective godowns. As against this background I would now consider the contentions advanced on either side.

7. At the outset Mr. Srinivasa Murthy the learned counsel for the Management would urge that there is no industrial dispute whatsoever within the meaning of Section 2A of the Act. I am in full agreement with him to the extent that there is no industrial dispute within the meaning of Section 2K of the Act. But the petition with reference to Section 2A of the Act is different. The case of the workman is that if his previous service was taken into account he would not have been discharged as, according to him under the provisions of the Bipartite Settlement he was entitled to be made permanent. It is alternatively contended by Mr. K. Satyanarayana the learned counsel for the workman that if the artificial breaks were not affected, the claimant would have been entitled, though a temporary workman to the benefits accruing under the Shops and Establishments Act. It was alternatively contended that his recruitment could have been regularised by relaxing the qualifications required for this post. What was contended by Srinivasamurthy is that the last order of appointment has fixed the period and on efflux of that period of appointment the service came to an automatic end, and therefore there was no action by the Management in terminating the services of the claimant. There was thus, it was contended, no positive action on the part of the Management and therefore no dispute arises under Section 2A of the Act. He relies upon a ruling of a Calcutta High Court reported in 1976 Labour & Industrial Cases page 202 wherein it is held:

"In order to attract Section 2A there must be an action of an employer against the workman. But if the dispute is whether there was any relationship of employer and workman between them such a dispute cannot be the subject matter of reference under Section 2A".

Evidently the facts of that case are different. The only question is whether there is an action of the Management or the employer against the workman in the instant case so as to hold that the reference under Section 2A is valid. It is profitable to read Section 2A in this context which is as follows:

"Where any employer discharges, dismisses, retrenches or otherwise terminates the services of an individual workman, any dispute or difference between that workman and his employer connected with, or arising out of such discharge, dismissal, retrenchment or termination shall be deemed to be an industrial dispute notwithstanding that no other workman nor any union of workman is party to the dispute."

The Section, as is worded, takes into its ambit not only the direct question of termination of service but any dispute connected, with such termination or arising out of such termination. Since the grievance of the workman is that the termination (the termination on 19th November, 1974) in question is not valid and could not be a valid one had his previous service been taken into account, it is certainly a dispute arising out of the termination. It might be that apparently as per the order of appointment, the services of the claimant ceased to be on an account of efflux of time yet the dispute raised is connected with that termination. The section to my mind is comprehensive enough and takes into ambit the present dispute. Thus I hold that there is no substance in the contention of the Management that the reference is bad or that the dispute is not one within the meaning of Section 2A of the Act.

8. It can be noted that the watch of a particular godown of a particular constituent by itself may not be and cannot be a permanent work of the Bank. But it is legitimate to hold that if not more at least 50 to 60 percent of the work of the Bank lies in advancing loans to its constituents on securing hypothecation of the property. For that purpose the Bank has to necessarily engage a number of godown keepers, though this number may vary from time to time or from month to month or year to year. But the fact remains that it has the need to maintain a certain complement of Godown Keepers. Probably for this reason, Circular Ex. M 9 was issued by the Head Office of the Bank laying down the qualifications with regard to the appointment of cashier cum-Godown Keepers and Peons or Chowkidars. It would appear from a perusal of Ex. M9 that the Chowkidar or Peons would come under the Subordinate cadre as specified therein. That circular was issued on 20th April, 1970. The appointment of this claimant was in the month of August 1970. As per the counter from 19th August 1970 to 29th December 1973 the claimant was the sole Watchman of Mahmoodia Printing Press Godown, a constituent-loanee of the Bank. Though it cannot be said that a particular constituent would be a permanent Loanee or that the watch of a particular godown is a permanent work of a Bank, it can as well be said that some posts of godown watchman, regardless of their specific number are permanent. At any rate in view of the very business of the Bank the work of Watch of the godown is a permanent one. I will advert to the question whether subsequent to the issue of the circular Ex. M9 whether the claimant was entitled to be recruited even at the stage of his temporary appointment. But suffice it to say that the break given in the service of the workman either from August 1970 to 1973 or 8th January 1974 to November, 1974 are really artificial and there is no explanation from the Management as to why such breaks are given. The only inference is that the claimant was sought to be deprived of the continued service by issuing letters of temporary appointments. I have already noted above that it is not the case of the Management even that during the short spells of the break of three or four days for every two or three months, some other Godown Keeper was placed at those stations. M.W.1 is also at a loss to say that the work of watching godown of M/s. Jay Industries has come to an end from 19th November and thereafterwards. It can be repeated that from 8th January to 19th November the claimant was made to watch that Godown of M/s Jay Industries itself as he was made to watch the godown of a single constituent in between 1970 to the end of 1973. This would also give an indication that the hypothecation is by itself for a stipulated period. It cannot be said that even during the year 1974 the appointments of the claimant were made temporarily because the Bank has no idea as to when the Loan would be liquidated. No material is placed by the Respondent-Management to show that no time was stipulated for the clearance of the Jay Industries, consequent to which the godown has to be released. On the other hand if the period of or length of hypothecation with regard to Mahmoodia Printing Press is any guide, the hypothecation of Jay Industries even for more than a year could be said to have been stipulated in the beginning itself. If that is so there could have been straightaway an order of appointment of the Godown Watchman or Keeper for a specific period at a time. But on the other hand the Bank is careful enough to make the appointment for a short period of two or three months. The practice on the face of it is artificial and intended to deprive the workman the benefits that would accrue to him under law, though the appointment is a temporary one. As noted above the need for the appointment of a godown watchman in relation to a particular constituent may be a temporary one. But obtaining security of

property being an essential function of the Bank the work of a godown watchman can be said to be a permanent watch. In this industrial dispute it is neither permissible nor necessary nor possible to hold what should be the compliment of Godown Keepers having regard to the volume of loans advanced and the number of constituents, or to fix the requirement of the Bank in terms of number of Godown Keepers, or Watchmen. That aspect has certainly bearing on the question whether this Watchman was entitled to be absorbed in case he is found eligible. In the absence of any evidence that during the short spells of break in the service of this claimant with regard to his work with the two particular godowns throughout it can only be said that his service was a continuous one. At any rate his service from 8th January 1974 to 19th November 1974 can be said to be continuous for the purpose of this case. It should not be meant to be understood that his services from August 1970 to 29th December 1973 are held to be not continuous. I have no hesitation in my mind in holding even that service was continuous. It was rightly contended for the claimant that continuity of service does not necessarily be legal continuity but only continuity in fact. He placed reliance on the observations of a ruling of the Bombay High Court reported in 1958 (I) LLJ, page 36 on page 40. I would go a little further and hold that artificial breaks are created in the service of this claimant with a view to deprive him of certain benefits. The contention of the Management that every appointment or termination was in accordance with the contract of appointment, cannot be given weight in considering the question of continuity of service. In the ruling of the Bombay High Court referred to above (1958 (I) LLJ, page 36) it is held that the doctrine of sanctity of contract held good in nineteenth century but it is now absolete and it is the duty of an industrial court or Tribunal to modify the contractual rights and obligations if it becomes necessary to do so in the light of industrial legislation and legal decisions relating thereto. That decisions was rendered with regard to the question relating to continuity of service. The breaks constituted in the present case are certainly mala fide. It was the contention of Mr. Srinivasamurthy the learned counsel for the Management that admittedly the workman's appointment was on daily wages or weekly wages and therefore he is a casual labour. The payment of wages may be daily or weekly as admitted by W.W. 1 himself. But according to M.W. 1 the appointment was monthwise. M.W.1 is also not in a position to swear that the watch of godown of Jay Industries has come to an end with 19th November, 1974. The work of Watch of any godown as noted above is a part and parcel of the work of the Bank. It is of some permanent nature and not of a casual nature. That a particular constituent godown is to be watched may be a temporary work. A person appointed in that place cannot be said to be a casual one. Though it was also the contention of Mr. K. Satyanarayana that atleast half of the godown watchmen are to be made permanent and in that context he relied upon Supreme Court reported in 1962 (I) LLJ, page 218, as already noted above it is not the scope of the reference nor the function of the Tribunal in a case like this to embark upon a roaming enquiry. In the ruling of the Supreme Court there was a demand for making the workmen doing cement packing as permanent and on the facts of that case 50 per cent of the workmen were ordered to be made permanent. In fact if I may say so the question of the strength of the compliment of Godown Watchmen which the Bank ought and must maintain on its regular rolls would be a matter of a thorough enquiry if any demand is raised in that behalf. The present question is only whether the claimant was a casual workman or temporary workman I have already answered the question that he does not become a casual workman merely because he was paid daily or weekly wages, for the reason that though in relation to constituents the work done by the claimant was of a temporary nature but from the Banks point of view, the work of a Watchman is of permanent character as that is a part and parcel of the Banks business.

9 Having held that the breaks in the service of the claimant are artificial and that his services from 8th November 1974 to 19th November 1974 being held to be continuous and even the earlier services being held to be continuous the relief that is to be moulded falls for consideration. From 8th January 1974 to 19th November 1974 the workman has completed more than six months of service at the minimum. If the earlier period from August 1970 to 29th December 1973 is also taken into consideration the total period of claimants service would be more than four years. It is true that the services of the claimant stand terminated in view of the last

appointment order. The grievance of the workman himself is that his past service ought to have been taken into consideration. Since it is held by the Tribunal that his services were continuous in fact and that breaks are artificial, the relief that can be granted is now to be considered. In this context the contention of the workman is that he was entitled to be made permanent in view of the bipartite Settlement. The Bipartite Settlement came into effect on 19th October 1966. A temporary employee is also defined therein which means a workman who has been appointed for a limited period for work which is of an essentially temporary nature or who is employed temporarily as an additional workman in connection with the temporary increase in work of a permanent nature and includes a workman other than permanent workman who is appointed in temporary vacancies caused by absence of a particular permanent workman. Para 20.8 occurring in Chapter 20 relied upon by the workman is of little help to him, which only says that a temporary workman may also be appointed to fill the permanent vacancy provided that such a temporary appointment shall not exceed a period of three months. This para refers there being a permanent vacancy which means that there must be a permanent post on the rolls of the Bank so that that vacancy can be filled up by appointing a temporary workman whose appointment does not exceed three months. Paras 20.9 and 20.10 are with regard to the permanency of temporary workmen on the date of the Settlement or otherwise but they specifically exclude the Godown Keeper or a Watchman. As noted above the work turned out by the claimant with regard to particular constituent cannot be said to be a permanent vacancy so that he could claim benefit of Para 20.8 of the Bipartite Settlement. It was however the contention of Mr. Satyanarayana the learned counsel for the workman that the claimant in view of his service was also entitled to one month's notice or one month's pay and gratuity as per Section 40 of the Shops and Establishments Act. His stress however was that in view of the continuous service the workman was entitled to be regularised. It is however conceded by him that on the date of his first appointment in August 1970 he was nearly aged 30 and that he was not qualified having passed 8th class. But his contention is that having kept the claimant in service for more than four years two months, the Respondent is estopped from saying that he is not entitled to continue in service for the reason that he does not hold the necessary qualifications. He placed reliance in support of the argument of equitable estoppel on a ruling of the High Court of Andhra Pradesh reported in 1965 (II) Andhra Weekly Report page 437. Sri Srinivasamurthy the learned counsel firstly urged that in view of the Circular Ex. M9 the claimant was not eligible for recruitment even in the year 1970. It is true that with regard to subordinate cadre in cities of Hyderabad a pass in 8th Standard was prescribed as the educational qualification and 25 years of age as the age qualification. As per the deposition of the workman himself it would appear that he passed 7th class but failed 8th class. On the date of his deposition in the year 1976, he has shown his age 35 which means in the year 1970 he was 29 or nearing 30. If I may say so the age qualification or the educational qualification does not appear to be an absolute one. It is true that the Management has the right to formulate its own policies with regard to the recruitment but the very circular lays down that in exceptional cases of outstanding Sportsmen and at the absolute discretion of the Head Office the conditions are relaxable. It would thus appear that the Head office has the right to relax the conditions. Since the workman has put in a service of four years two months (ignoring the artificial breaks in the service) it appears to me just and reasonable to give a direction to the Management to consider his case for continuation of his service by relaxing the conditions. I have already noted the evidence of M.W. 1 to the effect that his evidence is not positive that the watch work at the godown of Jay Industries has come to an end. The breaks given in the service of the workman are not only artificial but also mala fide. It is however really moot point whether in view of the last termination order fixing the date of termination the workman is still entitled to any notice as per the provisions of Section 40 of the Shops and Establishment Act but it can be contended that if a notice is not possible at least payment of one month's wages in lieu of notice is a prerequisite. Assuming for a moment Section 40 of the Shops and Establishments Act has no application, the question still would be whether a workman having put in four years and two months service is to be left at the mercy of Management or employer though the appointment is temporary. In the absence of any denial by M.W. 1 that the watch work at Jay Industries has ceased to be there, the termination of the

services of the workman appear to be unjustified. There is also no knowing whether the same work is now available at Jay Industries. The workman has also not come forward with any material in that regard. Thus though on the date of the termination of his services it could as well be said that this very workman would have been continued as a watch at that very godown, that relief cannot be now granted, in the absence of evidence that the watch work at that Godown is still available. Though it was the contention of the learned counsel Mr. Srinivasamurthy that there is no principle or provision of law entitling a casual workman to reinstatement simply because he was so employed on more than one occasion or he so worked for a long period of time, that proposition of law is not attracted to this case as the claimant workman is not a casual workman but a temporary workman in relation to a permanent nature of the work of the Bank. Having regard to the peculiar circumstances of the case I am inclined to give a direction to the Management to consider the case of the claimant for appointment relaxing the conditions and treat his appointment as a regular one from the date of his first appointment. In the event of the Management appointing him as a permanent godown keeper from the date of his first appointment, the claimant would be entitled to only 1/4 of his wages from 19th November 1974 onwards till the date of his being taken back into service. In case the Management does not choose to relax the condition or take him back into service, it is ordered that the claimant would be entitled to 12 months salary as compensation. In awarding compensation I have borne in mind the ruling of the Supreme Court reported in 1964(1) LLJ, page 398 wherein the termination of the service of a probationer only after four months of her service during the probationary period of six months was held to be mala fide and the compensation was reduced to one year.

9. In the result Award is passed giving a direction to the Management to relax the qualifications for recruitment of the claimant as a Godown Keeper from the date of his first appointment and that in case of appointing him as a regular Godown Keeper from 19th August 1970, to pay to the claimant 1/4 of his salary from November 1974 to the date of his joining duty again and in default of the above Clause to pay one years salary as compensation to the claimant.

Dictated to the Stenographer, transcribed by him and corrected by me and given under my hand and the seal of this Tribunal, this the 5th April, 1976.

APPENDIX OF EVIDENCE

Witnesses Examined For Workman :

W.W. 1 Sri Jagath Pershad

Witnesses Examined For Management :

M.W. 1 Sri C. Purnachandra Rao

DOCUMENTS EXHIBITED FOR WORKMAN :

- Ex. W1 Appointment letter dt. 15-5-73 of Sri Jagath Pershad as Watchman on daily wages basis at State Bank of Hyderabad city branch.
- Ex. W2 Service particulars of Sri Jagath Pershad, Temporary Watchman at City Branch from August 1970 to June 1973.
- Ex. W3 Termination Order dt. 29-12-1973 of Sri Jagath Pershad, Temporary Godown Watchman.
- Ex. W4 Letter of Sri Jagath Pershad dt. 1-1-74 addressed to the General Manager, State Bank of Hyderabad requesting for reappointment on previous experience.
- Ex. W5 Appointment Order dt. 8-1-1974 of Sri Jagath Pershad as Godown Chowkidar on purely temporary basis from 8-1-1974 to 7-3-1974 at Gunfoundry Office, Hyderabad.
- Ex. W6 Appointment Order dt. 11-3-1974 of Sri Jagath Pershad as Godown Chowkidar on purely temporary basis from 11-3-1974 to 10-5-1974, at Gunfoundry Office, Hyderabad.
- Ex. W7 Appointment Order dt. 13-5-1974 of Sri Jagath Pershad as Godown Chowkidar on purely temporary basis from 13-5-1974 to 12-7-1974, at Gunfoundry office, Hyderabad.

- Ex. W8 Appointment Order dt. 14-5-1974/1-6-1974 of Sri Jagath Pershad as Godown Chowkidar on temporary basis from 14-5-1974 to 13-7-1974 at Gunfoundry Office, Hyderabad.
- Ex. W9 Appointment Order dt. 17-7-1974 of Sri Jagath Pershad as Godown Watchman on purely temporary basis from 17-7-1974 to 16-9-1974, at Gunfoundry office, Hyderabad.
- Ex. W10 Appointment order dt. 20-9-1974/1-11-1974 of Sri Jagath Pershad as Godown Chowkidar on purely temporary basis from 20-9-1974 to 19-11-1974 at Gunfoundry Branch, Hyderabad.
- Ex. W11 True Copy of the Representation dt. 29-4-1974 of Sri Jagath Pershad to the Commissioner of Labour, Hyderabad showing the particulars of days for which he was employed from August, 1970 to September, 1974.

DOCUMENTS EXHIBITED FOR MANAGEMENT :

- Ex. M1 Copy of the Appointment Order dt. 15-5-1973 of Sri Jagath Pershad as Watchman on daily wages basis, at State Bank of Hyderabad City Branch.
- Ex. M2 Copy of the Appointment Order dt. 8-1-1974 of Sri Jagath Pershad as Godown Chowkidar on purely temporary basis for a period of two months from 8-1-1974 to 7-3-1974 at Gunfoundry Branch, Hyderabad.
- Ex. M3 Copy of the Appointment Order of Sri Jagath Pershad a Godown Chowkidar on purely temporary basis for a period of two months from 11-3-1974 to 10-5-1974 at Gunfoundry Office, Hyderabad.
- Ex. M4 Copy of the Appointment Order dt. 14-5-1974 of Sri Jagath Pershad as Godown Chowkidar on purely temporary basis for a period of two months from 14-5-1974 to 13-7-1974 at Gunfoundry Office, Hyderabad.
- Ex. M5 Copy of the Appointment Order dt. 17-7-1974 of Sri Jagath Pershad as Godown Chowkidar on purely temporary basis for a period of two months from 17-7-1974 to 16-9-1974 at Gunfoundry Office, Hyderabad.
- Ex. M6 Copy of the Appointment Order dt. 20-9-1974/1-11-1974 of Sri Jagath Pershad as Godown Chowkidar on purely temporary basis for a period of two months from 20-9-1974 to 19-11-1974 at Gunfoundry Office, Hyderabad.
- Ex. M7 Letter of Sri Jagath Pershad dt. 3-12-1974 addressed to the Manager, State Bank of Hyderabad, Gunfoundry Office, requesting to appoint as a Godown Chowkidar or Watchman.
- Ex. M8 Letter of Sri Jagath Pershad dt. 28-12-1973 addressed to the General Manager, State Bank of Hyderabad, Gunfoundry Office, requesting to appoint as a Watchman on considering the previous duties.
- Ex. M9 Circular dt. 20-4-1970 applies for certain requisite qualifications and age for the appointment of clerks, cashiers-cum-Godown Keepers and peons or chowkidars.

INDUSTRIAL TRIBUNAL.

[No. L-12012/105/75/DII(A)]

R. KUNJITHAPADAM, Under Secy.

मावेश

नई दिल्ली, 28 फरवरी, 1976

का०शा० 1703.—केन्द्रीय सरकार की राय है कि इससे उपाबद्ध अनुसूची में विनिर्दिष्ट विषयों के बारे में ईस्टर्न कोल फील्ड्स लिमिटेड की श्याम-सुन्दरपुर कोलियरी डाकघर उखरा, जिला बर्दवान के प्रबन्धतंत्र से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच एक औद्योगिक विवाद विद्यमान है;

और केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वांछनीय समझती है;

अतः, अथ, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उप-धारा (1) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त विवाद को उक्त अधिनियम की धारा 7क के अधीन गठित केन्द्रीय सरकार औद्योगिक अधिकरण कलकत्ता को न्यायनिर्णयन के लिए निर्देशित करती है।

अनुसूची

श्याम ईस्टर्न कोलफील्ड्स लिमिटेड की श्यामसुन्दरपुर कोलियरी के गार्पी कजोरा पिट, डाकघर उखरा, जिला बर्दवान के प्रबन्धतंत्र का श्री महादेव सोव मोंडल, पम्प खलासी को 1-6-1974 से 12-6-1974 तक बिना मजदूरी के निलम्बित करने की कार्रवाई न्यायोचित थी? यदि नहीं तो उक्त कर्मकार किस अनुलोप का हकदार है?

[संख्या एल-19012/3/75-डी-III(बी)]

ORDER

New Delhi, the 28th February, 1976

S.O. 1703.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Shyamsundarpur Colliery of Eastern Coal fields Limited, Post Office Ukhra, District Burdwan, and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal, Calcutta constituted under section 7A of the said Act.

SCHEDULE

Whether the action of the management of Sarpi Kajora Pit of Shyamsundarpur Colliery of Eastern Coal-fields Limited, Post Office Ukhra, District Burdwan in suspending Shri Mahadoo Sow Mondal, Pump Khalasi from 1-6-1974 to 12-6-1974 without wages was justified? If not, to what relief is the said workmen entitled?

[No. L-19012/3/75/DIII(B)]

आवेश

का०शा० 1704.—केन्द्रीय सरकार की राय है कि इससे उपाबद्ध अनुसूची में विनिर्दिष्ट विषयों के बारे में निधा कोलियरी, निधा उपक्षेत्र, ईस्टर्न कोल फील्ड्स लिमिटेड, डाकघर काली पहाड़ी, जिला बर्दवान के प्रबन्धतंत्र से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच एक औद्योगिक विवाद विद्यमान है;

और केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वांछनीय समझती है;

अतः, अथ, औद्योगिक विवाद अधिनियम, 1917 (1947 का 14) की धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त विवाद को उक्त अधिनियम की धारा 7क के अधीन गठित केन्द्रीय सरकार औद्योगिक अधिकरण कलकत्ता को न्यायनिर्णयन के लिए निर्देशित करती है।

अनुसूची

क्या ईस्टर्न कोल फील्ड्स लि० की निधा कोलियरी, निधा उपक्षेत्र, डाकघर काली पहाड़ी, जिला खर्दबाम के प्रबन्धतंत्र द्वारा नियोजित श्रमिकों की सर्वश्री जी० भट्टाचार्य और रामदुलारी कुर्मी को, जो निधा कोलियरी के ज्येष्ठ ओवरमैन है, 31-1-1973 से ग्रेड "बी" (हैड ओवरमैन) के रूप में नियुक्त करने की मांग, जैसी कि कोयला खनन उद्योग संबंधी केन्द्रीय मजदूरी बोर्ड ने सिफारिश की है स्थापित है, यदि हाँ तो उक्त कर्मकार किस अनुतोष के हकदार हैं।

[संख्या एल-19012/30/75-डी-iii(बी)]

ORDER

S.O. 1704.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Ningha Colliery, Ningha Sub-Area, Eastern Coalfields Limited, Post Office Kalipahari, District Burdwan and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal, Calcutta constituted under section 7A of the said Act.

SCHEDULE

Whether the demand of the workmen employed by the management of Ningha Colliery of the Eastern Coalfields Limited, Ningha Sub Area, Post Office Kalipahari, District Burdwan, for placement of Sarva Shri G. Bhattacharjee and Ramdulary Kurmi, Senior Overmen of Ningha Colliery in Grade "B" (Head Overman) as recommended by the Central Wage Board for the Coal Mining Industry, with effect from 31-1-1973 is justified? If so, to what relief are the said workmen entitled?

[No. I-19012/30/75-D-III(B)]

S. H. S. IYER, Section Officer (Spl.)

आदेश

का०घ्रा० 1705.—केन्द्रीय सरकार की राय है कि इससे उपाबन्ध अनुसूची में विनिर्दिष्ट विषयों के बारे में मैसर्स ईस्टर्न कोल फील्ड्स लिमिटेड की निधा कोलियरी, निधा उपक्षेत्र, डाकघर काली पहाड़ी, जिला खर्दबाम के प्रबन्धतंत्र से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच एक औद्योगिक विवाद विद्यमान है;

और केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वांछनीय समझती है;

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उप-धारा (1) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त विवाद को उक्त अधिनियम की धारा 7क के अधीन गठित केन्द्रीय सरकार औद्योगिक अधिकरण कलकत्ता को न्यायनिर्णयन के लिए निर्देशित करती है।

अनुसूची

क्या ईस्टर्न कोल फील्ड्स लिमिटेड की निधा कोलियरी डाकघर काली पहाड़ी जिला खर्दबाम के प्रबन्धतंत्र की श्री कृपा शंकर शर्मा, लिपिक ग्रेड III को लिपिक सम्बन्धी ग्रेड II में नियुक्त न करने की कार्यवाही

न्यायोचित है? यदि नहीं, तो उक्त कर्मकार किस अनुतोष का और किस तारीख से हकदार है?

[संख्या एल-19012/46/75-डी-III(बी)]

एस०एच०एम० अय्यर, अनुभाग अधिकारी (विशेष)

ORDER

S.O. 1705.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Ningha Colliery, Ningha Sub Area, of Messrs Eastern Coal fields Limited, Post Office Kalipahari, District Burdwan and their workmen in respect of the matters; specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal, Calcutta constituted under section 7A of the said Act.

SCHEDULE

Whether the action of the management of Ningha Colliery of Eastern Coal fields Limited, Post Office Kalipahari, District Burdwan, is not placing Shri Kripa Shankar Sharma, Clerk Grade III, in Clerical Grade II, is justified? If not, to what relief is the said workman entitled and from what date?

[No. L-19012/46/75/DIII(B)]

S. H. S. IYER, Section Officer (Spl.)

आदेश

नई दिल्ली, 5 मार्च, 1976

का०घ्रा० 1706.—केन्द्रीय सरकार की राय है कि इससे उपाबन्ध अनुसूची में विनिर्दिष्ट विषयों के बारे में मैसर्स भारत कोकिंग कोल लिमिटेड की गनहूडिह कोलियरी, धनबाद के प्रबन्धतंत्र से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच एक औद्योगिक विवाद विद्यमान है;

और केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वांछनीय समझती है;

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त विवाद को उक्त अधिनियम की धारा 7क के अधीन गठित केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय सं० 2, धनबाद को न्यायनिर्णयन के लिए निर्देशित करती है।

अनुसूची

“क्या मैसर्स भारत कोकिंग कोल लि० की गनहूडिह कोलियरी डाकघर हरिया, जिला धनबाद के प्रबन्धतंत्र की, श्री जोगेश्वर सिंह बिल क्लर्क की सेवाएं 4 जुलाई, 1975 से समाप्त करने की कार्यवाही न्यायोचित है? यदि नहीं तो कर्मकार किस अनुतोष का हकदार है?”

[सं० एल-20012/177/75-डी-IIIए]

ORDER

New Delhi, the 5th March, 1976

S.O. 1706.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers

in relation to the management of Ganhoodih Colliery of Messrs Bharat Coking Coal Limited Dhanbad and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal cum Labour Court No. 2 Dhanbad constituted under section 7A of the said Act.

SCHEDULE

"Whether the action of the management of Ganhoodih Colliery of M/s. Bharat Coking Coal Ltd., P.O. Jharia Distt. Dhanbad in dismissing the services of Shri Jogeshwar Singh, Bill Clerk with effect from 4th July, 1975 is justified? If not, to what relief the workman is entitled?"

[No. L-20012/177/75-D. IIIA]

New Delhi, the 11th May, 1976

S.O. 1707.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 2, Dhanbad in the industrial dispute between the employers in relation to the management of Kedla Jharkhand Collieries, Hazaribagh and their workmen, which was received by the Central Government on the 19-4-1976.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT :

Shri K. K. Sarkar, Judge Presiding Officer.

Reference No. 8 of 1974

In the matter of an industrial dispute u/s 10(1)(d) of the Industrial Disputes Act, 1947

PARTIES :

Employers in relation to the management (Receiver) of Kedla Jharkhand Collieries, Hazaribagh (Bihar).

AND

Their workmen.

APPEARANCES :

On behalf of the employers (Receiver)—Shri S. S. Mukherjee, Advocate.

On behalf of Central Coal Fields Ltd.—Shri T. P. Choudhury, Advocate.

On behalf of the workmen—Shri B. Joshi, Advocate.

State : Bihar

Industry : Coal.

Dhanbad, 15th April, 1976

AWARD

This reference was sent by the Government of India, Ministry of Labour to this Tribunal u/s 10(1)(d) of the Industrial Disputes Act, 1947 by their order No. 20012/146/73-LRII dated 16-1-74 for adjudication of the industrial dispute involved with the following issues framed:

"Whether the management (Receiver) of Jharkhand colliery, Hazaribagh was justified in terminating the services of Shri Ashok Kumar Sinha, Store Keeper with effect from the 13th August, 1973? If not to what relief is he entitled?"

The employers and the workmen filed their respective written statements in this case. Thereafter on the prayer of the workmen Coal Mines Authority/National Coal Development Corporation were impleaded as party who also filed their written statement. The case proceeded along. Then again in view of the changed circumstances Central Coalfields Ltd. was impleaded as a party on the prayer of the workmen and they adopted the written statement already filed by Coal Mines Authority/National Coal Development Corporation. The evidence in this case was practically finished. On 19-3-76 the case was fixed for argument of parties. On that date Shri T. P. Choudhury, Advocate representing Central Coalfields Limited, Shri S. S. Mukherjee, Advocate representing the Receiver and Shri B. Joshi, Advocate representing the workmen appeared before this Tribunal and a memorandum of settlement was filed with the prayer that there was no more any dispute between the parties and an award be passed accordingly in terms of the settlement. It appears from the memorandum of settlement that the concerned workman has already obtained employment under Coal Mines Authority/National Coal Development Corporation presently designated as Central Coalfields Limited at Kedla colliery. The concerned workman has given up his claim for back wages. The settlement as filed before me is accepted without any objection from the parties present before me.

In the result I make an award in respect of the industrial dispute involved in this reference in terms of the memorandum of settlement which do form part of the award as Annexure A.

BEFORE THE PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, DHANBAD

Ref. No. 8 of 1974

Employers in relations to the Management (Receiver) Kedla-Jharkhand Collieries.

AND

Their workmen.

The parties above named have amicably settled the dispute in the above reference pending before the Hon'ble Tribunal without prejudice to the respective containance to the parties.

1. That Shri Ashok Kumar Singh, the concerned workmen, has already obtained employment under C.M.A. Ltd./NCDC Ltd. presently designated as C.C. Ltd. at Kedla Colliery.

2. That the period of idleness from the date of his termination till the date of re-employment will be treated as Leave Without Wages.

3. That the concerned workmen will not claim any back wages or any other convention for the period of his idleness from the date of his termination till the date of his re-employment.

4. That there remains no dispute between the parties which needs further adjudication.

It is, therefore, humbly prayed that this compromise may kindly be recorded and Award passed in terms thereof.

For Workmen

A. K. SINGH

Concerned Workmen.

B. JOSHI,

Advocate

For Employers

Agent of Receiver

S. S. MUKHERJEE,

Advocate

K. K. SARKAR, Presiding Officer.

[F. No. L-20012/146/73-LR. II/D-III A]

R. P. NARULA, Under Secy.

New Delhi, the 30th April, 1976

S.O. 1708.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal (No. 2), Bombay in the Industrial dispute between the employers in relation to the management of Messrs D.B. Bandodkar and Sons, Panjim, Goa and their workmen which was received by the Central Government on the 29th April, 1976.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, BOMBAY

PRESENT:

Shri B. Ramlal Kishen, LL.M., Bar-at-Law, Judge, Presiding Officer.

Reference No. CGIT-2/24 of 1975

PARTIES:

Employers in relation to the Management of Messrs D. B. Bandodkar & Sons, Panjim, Goa.

AND

Their workmen.

APPEARANCES:

For the employers—Shri B. G. Vaidya, Labour Adviser.

For the workmen—No appearance.

State : Goa, Daman and Diu

Industry : Mining

Bombay, the 6th April, 1976

AWARD

The Government of India, Ministry of Labour, by their order No. L. 26011/25/75-D-IV(B) dated 12-11-1975 in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the I.D. Act, 1947 referred to this Tribunal for adjudication an industrial dispute existing between the employers in relation to the management of Messrs D. B. Bandodkar and Sons, Panjim, Goa and their workmen which reads as follows :—

“Whether the demand of the Goa Mine Workers' Union that all the mine workers employed by the management of Messrs. D. B. Bandodkar and Sons, Panjim, Goa be provided with housing accommodation or paid house rent allowance at the rate of 10 per cent of their wages in lieu thereof is justified? If so, from what date the workmen concerned are entitled to house rent allowance?”

2. On receipt of the reference, notices were issued to the parties to file their written statement.

3. The management in response to the notice filed their written statement on 30-1-1976. The Employers submit that the demand referred to this Tribunal cannot constitute a valid industrial dispute and that the reference made to this Tribunal is not maintainable. It is submitted that providing housing accommodation to the workmen is a responsibility of the State and there cannot be a demand under the Industrial Disputes Act on the management for providing housing accommodation to the workmen and such a demand cannot be referred to adjudication by the Government and that the present reference is invalid, incompetent and not maintainable. According to the management's knowledge, it is stated in the written statement, Goa Mine Workers Union is not a representative Union. The Management submits that the National Mine Workers' Union was the sole bargaining agent on behalf of the workmen employed in their mines at Velguem, Goa, with whom a settlement was arrived at on 29-3-1973 with regard to basic pay, dearness allowance etc. of the workmen. It is submitted that as the issue of wage structure of the workmen is thus covered by the aforesaid settlement, which is binding till 31-12-1977, there cannot be any dispute regarding house rent allowance as such allowance is a part of the wage structure of the

workmen. The employers further submit that as per the aforesaid settlement the workmen are paid variable dearness allowance in terms of Iron Ore Wage Board recommendations and the dearness allowance duly takes into consideration the requirements of the workmen regarding housing and that in view of the said provision for dearness allowance, the demand is not maintainable. Without prejudice to the above preliminary objections, the employers state that the demand is even otherwise misconceived, unjustified and untenable for the following among other reasons:—

- (i) that the demand is not justified on industry-cum-region principle.
- (ii) that the employers are not in a position to bear any additional financial burden that is likely to be imposed by the demand.
- (iii) that the workmen employed at their mines stay in the neighbouring villages where most of them possess either their own or ancestral house. Since no housing accommodation on rental basis is generally available the question of giving the house rent allowance cannot arise and the demand made in the behalf deserves to be considered as unreasonable and unjustified.
- (iv) that the concern pays Iron Ore Mines Labour Welfare Cess to the Central Cess Commissioner. The said Commissioner is contemplating a township for the mine workers as a measure of welfare activities. In these circumstances, the demand on the concern either for housing accommodation or for house rent allowance must be considered to be unreasonable and unjustified.

The Employers finally submit that for the foregoing reasons, this Tribunal be pleased to reject the demand.

3. The workmen in spite of notice did not file their claim statement. The reference came for hearing on 30-1-1976, on which date the management filed their written statement. The case was adjourned to 25-3-1976 and notice of hearing was given to the workmen. The workmen in spite of notice did not file their claim statement. Therefore ex-parte notice was issued to the parties fixing hearing of the reference on 6-4-1976. In spite of this notice, the workmen remained absent. The reference is, therefore, heard ex-parte.

4. The reference is to the effect whether the demand of the Goa Mine Workers' Union that all the mine workers employed by the management of Messrs. D. B. Bandodkar and Sons, Panjim, Goa be provided with housing accommodation or paid house rent allowance at the rate of 10 per cent of their wages in lieu thereof is justified? If so, from what date the workmen concerned are entitled to house rent allowance? A plea is taken by the management in their written statement that providing housing accommodation to the workmen is a responsibility of the State and there cannot be a demand under the Industrial Dispute Act on the management for providing housing accommodation to the workmen, but the management did not point out any ruling on the subject absolving them the responsibility of providing housing accommodation. The management has also referred to a settlement arrived at with the National Mine Workers' Union on 29-3-1973, but no such settlement is on record. The burden of substantiating the claim of the workmen for housing accommodation or house rent allowance at the rate of 10 per cent of their wages in lieu thereof, is on the workmen. The workmen have not appeared and substantiated their claim. I have therefore no other alternative but to dismiss the reference for non-prosecution, by passing a no dispute award. The reference is answered accordingly. I make no order as to costs.

B. RAMLAL KISHEN, Presiding Officer.

[No. L-26011/25/75-D-IV(B)]

BHUPENDRA NATH, Section Officer (Spl.)

ग्रादेश

नई दिल्ली, 5 मई, 1976

का० आ० 1709.—यल बिलाई स्टील प्लांट (माइन्स), हिन्दुस्तान स्टील लिमिटेड, बिलाई के प्रबंधन और उनके कर्मचारों के बीच, जिनका

प्रतिनिधित्व संयुक्त खदान मजदूर संघ, नन्दिनी माइन्स, जिला दुर्ग करती है, एक औद्योगिक विवाद विद्यमान है ;

और, यतः, उक्त नियोजकों और कर्मकारों ने औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10क की उपधारा (1) के उपबन्धों के अनुसरण में एक लिखित करार द्वारा उक्त विवाद को उसमें वर्णित व्यक्ति के माध्यस्थत्व के लिए निर्देशित करने का करार कर लिया है और उक्त माध्यस्थत्व करार की एक प्रति केन्द्रीय सरकार को भेजी गई है ;

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10क की उपधारा (3) के उपबन्धों के अनुसरण में, केन्द्रीय सरकार उक्त माध्यस्थत्व करार को, जो उसे 26 अप्रैल, 1976 को मिला था, एतद्वारा प्रकाशित करती है ।

(करार)

(औद्योगिक विवाद अधिनियम, 1947 की धारा 10क के अधीन)

पक्षकारों के नाम:

नियोजकों का प्रतिनिधित्व करने वाले

1. श्री ए० के० चौधरी, उपकार्मिक प्रबंधक (खान), भिलाई स्टील प्लांट ।
2. श्री आर० पी० सिंह, सहायक कार्मिक प्रबंधक (आई० आर० माईन्स), भिलाई स्टील प्लांट-2
3. श्री एस० के० सेठ, वरिष्ठ कार्मिक अधिकारी (खान) भिलाई स्टील प्लांट ।

कर्मकारों का प्रतिनिधित्व करने वाले

1. श्री एन० एस० नायर, अध्यक्ष, संयुक्त, खदान मजदूर संघ, नन्दिनी खान, जिला दुर्ग (मध्य प्रदेश)
2. श्री डी० के० राव, सचिव, संयुक्त खदान मजदूर संघ, नन्दिनी खान, जिला दुर्ग (मध्य प्रदेश) ।

पक्षकारों के बीच निम्नलिखित विवाद को श्री बी० सुब्रामनी, उप महाप्रधीक्षक, भिलाई स्टील प्लांट, भिलाई के माध्यस्थत्व के लिए निर्देशित करने का करार किया गया है ।

- (1) विनिर्दिष्ट विवादप्रस्त विषय : "क्या श्री बी० बी० दानक के साथ कार्यकारी पद पर प्रोत्थति के मामले में कोई भेद-भाव किया गया था ? यदि हाँ, तो वह किस अनुसंधान का हकदार है ?
- (2) विवाद के पक्षकारों का विवरण, प्रबंध तन्त्र, भिलाई स्टील प्लांट (खान) जिसमें अंतर्भावित स्थापन या हिन्दुस्तान स्टील लिमिटेड, भिलाई, उपक्रम का नाम और पता भी दुर्ग (मध्य प्रदेश) । सम्मिलित है ।
- (3) कर्मकार का नाम यदि वह स्वयं संयुक्त खदान मजदूर संघ, (एटक) विवाद में अस्तित्वित है या यदि खान में मान्यता प्राप्त संघ, कोई संघ प्रश्नगत कर्मकार का नन्दिनी खान, जिला दुर्ग (मध्य प्रतिनिधित्व करता हो तो प्रदेश) । उस का नाम ।
- (4) प्रभावित उपक्रम में नियोजित सीधे नियोजित परोक्ष नियोजित कर्मकारों की कुल संख्या 3014

(5) विवाद द्वारा प्रभावित या संभावित प्रभावित होने वाले कर्मकारों की प्राक्कलित संख्या 67

माध्यस्थ अवकाश पंचाट तीन मास की कालावधि या इतने और समय के भीतर जो हमारे बीच पारस्परिक लिखित करार द्वारा बहकावा जाय, देगा । यदि पूर्ण वर्णित कालावधि के भीतर पंचाट नहीं दिया जाता तो माध्यस्थत्व के लिए निर्देश स्वतः रद्द हो जायेगा और हम नए माध्यस्थत्व के लिए बातचीत करने को स्वतन्त्र होंगे ।

पक्षकारों के हस्ताक्षर

नियोजकों का प्रतिनिधित्व करने वाले कर्मकारों का प्रतिनिधित्व करने वाले

ह०/- (ए० के० चौधरी)	ह०/- (एन० एस० नायर)
उप कार्मिक प्रबंधक (खान)	अध्यक्ष, संयुक्त खदान मजदूर संघ (एटक)
ह०/- (आर० पी० सिंह)	नन्दिनी खान, जिला दुर्ग (म० प्र०)
सहायक कार्मिक प्रबंधक	ह०/- (डी० के० राव)
(आई० आर० खान)	सचिव, संयुक्त खदान मजदूर संघ,
ह०/- (एस० के० सेठ)	(एटक), नन्दिनी खान, जिला दुर्ग
वरिष्ठ कार्मिक अधिकारी (खान) ।	(म० प्र०) ।
साक्षी	
1. ह०/- (टी० एस० राव)	स्वीकृत
2. ह०/- (आर० सी० सूत्र), भिलाई	ह०/- (बी० सुब्रामनी) 21/4/76
ता० 4-1976	उप-महाप्रधीक्षक, भिलाई स्टील प्लांट,
	हिन्दुस्तान स्टील लिमिटेड ।

[संख्या एल-260/3(2)/76-डी-4 (बी)]

भूपेन्द्र नाथ, अनुभाग अधिकारी (विशेष)

ORDER

New Delhi, the 5th May, 1976

S.O. 1709.—Whereas an industrial dispute exists between the management of Bhilai Steel Plant (Mines), Hindustan Steel Limited, Bhilai and their workmen represented by Samyukta Khadan Mazdoor Sangh, Nandini Mines, District Durg;

And whereas the said management and their workmen have by a written agreement in pursuance of the provisions of sub-section (1) of Section 10A of the Industrial Disputes Act, 1947 (14 of 1947) agreed to refer the said dispute to arbitration of the person mentioned therein and a copy of the said arbitration agreement has been forwarded to the Central Government;

Now, therefore, in pursuance of the provisions of sub-section (3) of Section 10A of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the said arbitration agreement which was received by it on the 26th April, 1976.

AGREEMENT

(Under Section 10A of the Industrial Disputes Act, 1947)

NAME OF THE PARTIES

Representing Employer :

1. Shri A. K. Chawdhary, Dy. Personnel Manager (Mines), Bhilai Steel Plant.
2. Shri R. P. Singh, Asstt. Personnel Manager (I. R. Mines) Bhilai Steel Plant.
3. Shri S. K. Seth, Sr. Personnel Officer (Mines), Bhilai Steel Plant.

Representing Workmen :

1. Shri N. S. Nair, President, Samyukta Khadan Mazdoor Sangh, Nandini Mines, Distt. Durg (M.P.).
2. Shri D. K. Rao, Secretary, Samyukta Khadan Mazdoor Sangh, Nandini Mines, Distt. Durg (M.P.).

It is hereby agreed between the parties to refer the following dispute to the arbitration of Shri V. Subramony, Dy. General Superintendent, Bhilai Steel Plant, Bhilai :—

(i) Specific matters in dispute.—“Was any discrimination shown to Shri B. B. Danak, in the matter of promotion to executive post? If so, to what relief he is entitled to?”

(ii) Details of the parties to the dispute including the name and addresses of the establishment or undertaking involved—The Management of Bhilai Steel Plant (Mines), Hindustan Steel Limited, Bhilai, Durg. (M.P.).

(iii) Name of the workman in case he himself is involved in the dispute or the name of the Union, if any, representing the workman in question.—Samyukta Khadan Mazdoor Sangh, (AITUC) Recognised Union in Mines, Nandini Mines, Distt. Durg. (M.P.).

(iv) Total number of workmen employed on the undertaking effected.—Direct 3014, Indirect—Nil.

(v) Estimated number of workmen effected or likely to be effected by the dispute.—67.

The arbitrator shall make his award within a period of three months or within such further time as is extended by mutual agreement between us in writing. In case the award is not made within the period aforementioned, the reference to arbitration shall stand automatically cancelled and we shall be free to negotiate for fresh arbitration.

Signatures of the Parties

Representing Employer :

Representing Workmen

Sd/-

(A. K. CHAUDHARY)
Dy. Personnel Manager (Mines)

Sd/-

(N. S. NAIR)
President

Samyukta Khadan Mazdoor Sangh

Sd/-

(R. P. SINGH)
Asstt. Personnel Manager (IR Mines)

(AITUC),

Nandini Mines, Dist. Durg (M.P.)

Sd/-
(D. K. RAO)

Sd/-

(S. K. SETH)

Secretary,

Sr. Personnel Officer (Mines) Samyukta Khadan Mazdoor Sangh, (AITUC),
Nandini Mines, Distt. Durg. (M.P.).

Witnesses :

1. Sd/- (T. S. Rao)

2. Sd/- (R. C. Sud)

Accepted

Sd/-

(V. SUBRAMONY) 21-4-76

Dy. General Superintendent,
Bhilai Steel Plant,
Hindustan Steel Limited.

Bhilai,

[No. L-26013(2)/76-D-IV(B)]

21-4-76

BHUPENDRA NATH, Section Officer (Spl)

New Delhi, the 10th May, 1976

S.O. 1710.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Calcutta in the industrial dispute between the employers in relation to the management of the Calcutta

Port Trust, Calcutta and their workmen, which was received by the Central Government on the 4th May, 1976.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
AT CALCUTTA

Reference No. 61 of 1975

PRESENT:

Justice E. K. Moidu, Presiding Officer.

REFERENCE NO. 61 OF 1975

PARTIES :

Employers in relation to the Calcutta Port Trust,
Calcutta

AND

Their Workmen

APPEARANCES :

Relation Officer.

On behalf of Employers—Shri S. M. Banerjee, Labour Adviser and Industrial Relations Officer with Shri S. P. Naha, Deputy Labour Adviser and Industrial Relation Officer.

On behalf of Workmen—Shri A. L. Roy.

STATE : West Bengal

INDUSTRY : Port & Dock

AWARD

The Government of India, Ministry of Labour, by its Order No. L-32011/21/75-D. IV(A) dated 10th September, 1975, referred an industrial dispute existing between the employers in relation to the Calcutta Port Trust, Calcutta and their workmen to this tribunal for adjudication. The reference reads as :—

“Whether the demand of the workmen of Senior Shipwright Section of Calcutta Port Trust for supply of rain coats is justified? If so, on what scale and from what date?”

2. In response to the summons issued by this Tribunal, the Employers filed their written statement on 4-11-1975 but the Union on behalf of the workmen did not file any written statement. The case was then posted for peremptory hearing today.

3. Today when the case was taken up for hearing, the General Secretary of the Union filed an application praying to withdraw the Reference with liberty to move the Government for a fresh Reference as according to them the present reference is incomprehensive and will prejudice the workmen if finally disposed of. The Employers have no objection to the prayer.

4. In view of the circumstances, the reference is withdrawn as dismissed with liberty to the Union to move the Central Government for a fresh comprehensive reference.

Dated, Calcutta, the 30th April, 1976.

E. K. MOIDU, Presiding Officer

[No. L-32011(21)/75-D. IV (A)]

NAND LAL, Section Officer (Spl.)

New Delhi, the 12th May, 1976

S.O. 1711.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal Madras in the industrial dispute between the employers in relation to the South Indian Bank Limited, Trichur and their workmen, which was received by the Central Government on the 3rd May, 1976.

BEFORE THIRU T. PALINIOPPAN, B.A., B.L.;

Presiding Officer

Industrial Tribunal, Madras.

(Constituted by the Central Government)

Saturday, the 17th day of April, 1976.

Industrial Dispute No. 5 of 1975

(In the matter of the dispute for adjudication under section 10(1)(d) of the Industrial Disputes Act, 1947 between the workmen and the management of South Indian Bank Ltd., Trichur-1).

BETWEEN

The workmen represented by

The General Secretary,

South Indian Bank Employees Association, Central Office,
Post Office Road, P. N. No. 131, Trichur-1.

AND

The Chairman, South Indian Bank Ltd., Head Office,

P. B. No. 28, Trichur-1, Kerala State.

Reference :

Order No. L-12012/25/74/LRIII, dated 18-1-1975 of the Ministry of Labour, Government of India, New Delhi.

This dispute coming on for final hearing on Friday, the 26th day of March, 1976 upon perusing the reference, claim and counter statements and all other material paper on record and upon hearing the arguments of Thiru R. Jamal Nazeem, Advocate appearing for the workmen and of Thiru R. Venugopalan, Advocate for the management and this dispute having stood over till this day for consideration, this Tribunal made the following.

AWARD

By order No. L-12012/25/74/LRIII, dated 18th January, 1975, the Government of India, Ministry of Labour have referred the following dispute between the workmen and the management of the South Indian Bank Limited, Trichur for adjudication by this Tribunal.

2. The issues are as follows :

"(1) Whether the action of the management of the South Indian Bank Limited, Head Office, Trichur, in denying promotion to Shri M. O. Davis, subordinate in the bank with effect from the 1st October, 1973 as per the terms of agreement dated the 23rd November, 1968 is justified ?

(2) Whether the action of the management of the South Indian Bank Limited Head Office, Trichur, in denying promotion to a qualified subordinate as per agreement dated the 20th August, 1973 on the plea that twenty subordinates inclusive of Shri M. O. Davis have already been promoted to the clerical cadre in terms of the said agreement, is justified ?

(3) If not, to what relief are the employees entitled ?"

3. The General Secretary of the claimant union has filed a claim statement alleging that Shri M. O. Davis entered the Bank's service as a peon in 1966 and he passed the S.S.L.C. in the year 1973 and that as per the settlement dated 22-11-1968 he is entitled for promotion as a clerk from 1-10-1973 but the management without giving promotion asked him to sit for written test on the basis of the settlement 23-11-1968. The Union alleges that the Bank is not entitled to rely on the agreement dated 20-8-1973 because the 1968 settlement was still in force on the date when Shri M. O. Davis became entitled to promotion and so the Bank should be directed to treat Shri M. O. Davis as having been promoted as a clerk from 1-10-1973 and give all the benefits arising thereunder.

4. The management has filed a counter statement contending that the agreement of 20-8-1973 has superseded all previous agreements relating to the promotion of subordinate staff to clerical cadre. The agreement of 23-11-1968 lays down the procedure for promotion to clerical cadre for the year 1973. The next contention is that there was no denial of promotion to Shri M. O. Davis; that the eligibility for promotion and entitlement for the post are entirely different and that all the promotions to the clerical cadre during the year 1973 were subject to the terms of the agreement dated 20-8-1973. The management also contends that the agreement dated 20-8-1973 prescribes the conditions and methods of promotion to the twenty posts of clerical cadre which were to be made during the year 1973, and the grievance alleged is more imaginary than real and that is the reason why the union has not mentioned the name of the so called qualified person to whom promotion was denied.

5. Issues 1, 2 and 3. These three issues are taken up together for the sake of convenience and also because of the main point to be discussed in all the three issues is the same. Shri M. O. Davis, W.W. 2 was examined to show that he was first appointed on 21-3-1966 in the respondent bank as peon and he was confirmed as subordinate staff in September, 1966 and that he passed the S.S.L.C. examination held in March, 1973 and that he completed 7 years of service by 30-9-1973 and that he became entitled to be promoted from 1-10-1973 and that he was not given promotion from 1-10-1973 but he was given promotion only after he passed the written test. The Union also examined Shri S. Thillaivanan, W.W. 1 to show that the management did not promote Shri H. O. Davis on 1-10-1973 and that the bank should have strictly observed the terms and conditions of the settlement, the original of Ex. W-1 dated 23-11-1968. Shri S. Thillaivanan, W.W. 1 was also examined to show that W.W. 2 need not sit for written test and Ex. W-1 does not prescribe written test and Ex. W-1 is still in force. In short, the grievance of the complainant is that the bank instead of enforcing the terms and conditions of the settlement Ex-W-1 enforced the terms and conditions of the settlement, the original of Ex. M-2 and thus there was denial of promotion to him from 1-10-1973. The evidence of W.W.1 is that Ex. W-1 has not been superseded or modified by any later agreement and Ex. W-1 has not been terminated by any notice. It is true that Shri M. O. Davis was promoted to the clerical cadre only after he passed the written test as contemplated in the original of Ex. M-2, dated 20-8-1973.

6. The short point that arises for determination under this issue is, whether Ex. W-1 the memorandum of settlement dated 23-11-1968 arrived at between the South Indian Bank Employees' Association and the South Indian Bank Limited, Trichur will govern the rights and liabilities of the parties to this reference. It is true that in Ex-W-1, the recruitment policy of the Bank to the subordinate cadre has been set out. The council for the Union laid emphasis on clause (2) para (3) under the heading 'qualifications in Ex. W-1. It shows that if a person after his appointment successfully complete S.S.L.C. examination will be promoted to the Clerical Cadre, if he puts in a minimum service of 7 years, after confirmation. The case of the complainant is that he was confirmed on 1-10-1973 and so he should have been promoted automatically as a clerk on 1-10-1973. In reply to this argument, the learned counsel for the Management referred to me to Ex. M-2 which is the copy of the memorandum of settlement dated 20-8-1973. It is a memorandum of settlement arrived at between the management of the South Indian Bank Limited and All Kerala Bank Employees Federation and South Indian Bank Employees Association. Clause (A) of that agreement relates to the conditions and method of promotion to the 20 posts for which promotion had to be made in the year 1973. Clause A sub-clause (1) of that agreement shows that all those who have a service of 7 years or more will be eligible to sit for a written test, and clause A sub-clause (2) shows that the minimum marks that will be insisted upon for promotion will be 20 per cent in the written test in modification of the existing agreement dated 3-3-1973. Thus this agreement contemplates a written test even if subordinate staff had put in a service of 7 years. The learned counsel for the Union argued that Ex. M-2 does not show that the agreement Ex. W-1 has been superseded or modified. Even though there is no express recital in Ex. M-2 to the effect that the agreement Ex. W-1 dated 23-11-1968 has been superseded or modified, the very fact of the Union and the management entering into a fresh agreement Ex. M-2 dated 20-8-1973 shows that there was an implied termination or supersession of the earlier agreement. Unless the earlier agreement Ex. W-1 had been super-

seded there would be no meaning in entering into a fresh settlement under Ex. M-2 relating to the promotion to the 20 posts of subordinate staff in the year 1973. Sri S. Thillaiavan, W.W. 1 is the Vice-President of the Union was confronted with Ex. M-2. He admitted in the course of the cross-examination to the effect that their Union and the Federation to which their Union was affiliated were parties to Ex. M-2 and that the terms and conditions of Ex. M-2 were known to the Union when they signed in the agreement; that in 1973, 20 persons were promoted from the subordinate cadre to the clerical cadre; that nobody was promoted after the date of Ex. M-2 without sitting for the examination; that in the year 1973 there were no promotions from the subordinate cadre to clerical cadre other than those 20 subordinates and that those 20 promotions in 1973 were done after the concerned candidate passed in the examination conducted by the management. Thus these answers elicited by the counsel for the management in the course of the cross-examination of W.W. 1 clearly shows that the Bank was enforcing only the terms and conditions of settlement Ex. M-2 after superseding or cancelling the earlier agreement Ex. W-1. It is the case of Sri M. O. Davis, W.W. 2 that he became eligible for promotion on 1-10-1973 and that the Bank had given promotion to the subordinate staff in the year 1973 only after they passed the written test. It is the conclusive factor for coming to the conclusion that in the year 1973, Ex. W-1 was not in force. Further it cannot be said that there was any discrimination against Sri M. O. Davis because the promotions in 1973 were given only after the concerned subordinate staff passed the written test even though they had put in 7 years of service. So it can be safely held that the terms and conditions of Ex. M-2 alone will govern the rights and liabilities of Sri M. O. Davis.

7. Sri S. Thillaiavan, W.W.1 deposed that Ex. W-1 is still in force and that Ex. W-7 evidence the same and that it is a Board Note. W.W.1 was cross-examined with regard to Ex. W-7, the alleged Board Note. In the course of the cross-examination, he has admitted that in the list of documents filed in the Court, Item No. 7 is shown as Promotion Policy and that he was aware of the fact that a copy of the Board Note was produced; that there is no reason as to why they did not state item No. 7 as Board Note; that in the list of documents supplied to the Management it is stated that item No. 7 is not available; that he has not seen the original of Board Note (i.e.) Ex. W-7; that he was not aware whether anybody compared the Board Note Ex. W-7 with the original. His evidence further discloses that he does not know how the Union came into possession of the alleged Board Note Ex. W-7. He has also admitted that he cannot say whether Ex. W-7 is a true copy of the original Board Notes and that Board Notes are usually confidential matters and that he did not enquire the officials as to how they got Ex. W-7. The learned counsel for the Management very strongly criticised the action of the Union. This Tribunal is not concerned as to how the Union came into possession of the Board Note and it is a matter to be dealt with by the Management against the concerned individual. This Tribunal is concerned only with the limited question, namely, whether the Union misled this Tribunal by giving wrong facts as to the description of the documents. In the list of documents, Ex. W-7 is shown as Promotion Policy. When Ex. W-7 was perused it was only some notes made for the meeting. Ex. W-7 does not show that Ex. W-1 was still in force and that the Board decided to recruit only as per the terms and conditions of Ex. W-1. Ex. W-7 is only a note made by the office for consideration of the Board and the decision of the Board is not seen in Ex. W-7. The Union should have been fair by giving a correct description of the document and not mislead by giving some wrong description to the document. Anyhow Ex. W-7 does not help the case of the Union.

8. The management has given promotion to the 20 subordinate staff as per the conditions and methods of promotion detailed in Ex. M-2. Under those circumstances, there is no meaning in the contention that there was denial of promotion to qualified subordinate staff and the grievance of the Union is only imaginary. In view of my discussion in the above paragraphs, Issue Nos. 1, 2 and 3 are found against the Union.

9. In the result, there will be an award negating the claims of the Union. There will be no order as to costs.

Dated, this 17th day of April, 1976.

WITNESSES EXAMINED

For workmen

W.W.1-Thiru S. Thillaiavan.
W.W.2-Thiru N.O. Davis.

For Management: Nil.

DOCUMENTS MARKED

For workmen:

- Ex. W-1/23-11-68—Memorandum of settlement between parties(copy).
- Ex. W-2/1-9-73—Letter from W.W.2 to the Bank requesting for promotion (copy).
- Ex. W-3/1-9-73—Letter from Union to the Bank requesting to issue orders promoting W.W. 2 to the clerical cadre (copy).
- Ex. W-4/10-9-73—Memo issued to W.W. 2 asking him to appear for the test.
- Ex. W-5/21-9-73—Letter from W.W. 2 to the Bank about promotion to clerical cadre.
- Ex. W-6/22-9-73—Letter from the Union to the Bank about the promotion of W.W.2.
- Ex. W-7—Note of the meeting of the Board held on 21-1-74 (copy).
- Ex. W-8/10-1-74—Letter from the Assistant Labour Commissioner (Central) Ernakulam to the Union regarding dispute over the promotion of W.W.2.
- Ex. W-9/14-1-74—Letter from the Assistant Labour Commissioner (Central) Ernakulam to the Bank requesting the Bank to attend meeting on 17-1-1974.
- Ex. W-10/6-2-74—Letter from the Assistant Labour Commissioner (Central) Ernakulam to the parties intimating the date of meeting on 19-2-1974.
- Ex. W-11/28-2-74—Conciliation failure report.

For the Management:

- Ex. M-1—Memorandum of settlement between parties (copy).
- Ex. M-2/20-8-73—Memorandum of agreement between parties (copy).
- Ex. M-3/1-9-73—Similar to Ex. W-2 (Copy).
- Ex. M-4/1-9-73—Letter from the Union to the Bank regarding allotment of works to drivers (copy).
- Ex. M-5/10-9-73—Copy of Ex. W-4.
- Ex. M-6/11-9-73—Letter from the Union to the Assistant Labour Commissioner (Central) Ernakulam regarding violation of agreement (copy).
- Ex. M-7/21-9-73—Copy of Ex. W-5.
- Ex. M-8/22-9-73—Copy of Ex. W-6.
- Ex. M-9/1-12-73—Letter from the Assistant Labour Commissioner (Central), Ernakulam to the parties for discussion. (copy).
- Ex. M-10/6-12-73—Letter from the Bank to the Assistant Labour Commissioner (Central) Ernakulam requesting to postpone the discussion to 27-12-73 (copy).
- Ex. M-11/7-12-73—Letter from the Assistant Labour Commissioner (Central) Ernakulam to the parties asking them to attend for discussion (copy).
- Ex. M-12/19-12-73—Letter from the Bank to the Assistant Labour Commissioner (Central), Ernakulam stating that W.W. 2 has been promoted to the clerical cadre. (copy).
- Ex. M-13/10-1-74—Copy of Ex. W-8.
- Ex. M-14/14-1-74—Copy of Ex. W-9.
- Ex. M-15/24-1-74—Letter from the Assistant Labour Commissioner (Central), Ernakulam to the parties requesting the parties to attend the meeting on 5-2-1974 (copy).
- Ex. M-16/6-2-74—Letter from the Assistant Labour Commissioner (Central), Ernakulam to the Bank forwarding complaint dated 23-1-1974 is of the Union (copy).
- Ex. M-17/27-2-74—Office order transferring W.W.2 to Dindigul Branch of the Bank (Copy).
- Ex. M-18/1-3-74—Telegram given by the Assistant Labour Commissioner, Ernakulam to the Bank for keeping the transfer of W.W. 2 in abeyance (copy).

- Ex. M-19/7-3-74—Conciliation letter sent to the parties regarding allotment of duties to the drivers (copy).
- Ex. M-20/20-3-74—Conciliation failure report (copy).
- Ex. M-21/10-4-74—Letter from the Ministry of Labour, Government of India informing the parties about the receipt of Conciliation report (copy).
- Ex. M-22/16-8-74—Government's order referring an industrial dispute regarding the transfer of W.W. 2 (copy).
- Ex. M-23/12-3-73—Letter from W.W. 2 to the Bank stating that he is willing to work at any of the offices of the Bank (copy).
- Ex. M-24/28-2-74—Copy of Ex. W-11.
- Ex. M-25/16-3-74—Letter from the Ministry of Labour, Government of India to the parties about the receipt of Conciliation report (copy).
- Ex. M-26/4-5-74—Letter from the Ministry of Labour, Government of India to the parties regarding violation of agreement (copy).

T. PALANIAPPAN, Presiding Officer.

Note : Parties are directed to take return of their document/s within six months from the date of the award.

True Copy/Forwarded

(By order)

Sd/-

Head Ministerial Officer,
Industrial Tribunal,
Madras.

[No. L 12012/25/74-LR III]

R. KUNJITHAPADAM, Under Secy.

संवि मंडल सचिवालय

(कार्मिक और प्रशासनिक सुधार विभाग)

नई दिल्ली, 16 मई, 1976

का० प्रा० 1712--भारत सरकार, गृह मंत्रालय की दिनांक 26 अगस्त, 1975 की अधिसूचना संख्या एस० बी० 452 (ई) के अनुसरण में, केन्द्रीय सरकार एतद्वारा 16 मई, 1976 को एक ऐसी सार्वजनिक नियत करती है जिससे अखिल भारतीय सेवा अधिनियम, 1951 तथा उसके अधीन बनाये गए अनुसूची में दिए गए नियम तथा विनियम मिश्रकम राज्य में लागू होंगे।

अनुसूची

भाग-I सभी अखिल भारतीय सेवाओं के लिए (सामान्य) नियम।

क्रम संख्या

1. अ० भा० से० (छुट्टी) नियम, 1955
2. अ० भा० से० (विशेष निःशक्तता छुट्टी) विनियम, 1957
3. अ० भा० से० (अध्ययन छुट्टी) विनियम, 1960
4. अ० भा० से० (चिकित्सा परीक्षा) नियम, 1954
5. अ० भा० से० (अविष्य निधि) नियम, 1955
6. अ० भा० से० (प्रतिकरात्मक भत्ता) नियम, 1954
7. अ० भा० से० (यात्रा भत्ता) नियम, 1954
8. अ० भा० से० (आचरण) नियम, 1968
9. अ० भा० से० (अनुशासन और प्रपील) नियम, 1969
10. अ० भा० से० (मृत्यु तथा सेवानिवृत्त प्रमुविधार्त) नियम, 1958
11. अ० भा० से० (पेंशन का परिवर्तन) विनियम, 1960

12. अ० भा० से० (सेवा की शर्तें-अवशिष्ट मामले) नियम, 1960
13. अ० भा० से० (विदेश बेतन, यात्रा व्यय और छुट्टी संयोजन) नियम, 1957
14. अ० भा० से० (अविष्य निधि और कुटुम्ब पेंशन निधि में विनिवेश और उनमें से संवाय) नियम, 1958.

भाग-II भारतीय प्रशासन सेवा पर लागू होने वाले नियम।

15. भा० प्र० से० (काइर) नियम, 1954
16. भा० प्र० से० (काइर सदस्य संख्या का नियतन) विनियम, 1955
17. भा० प्र० से० (भर्ती) नियम, 1954
18. भा० प्र० से० (प्रतियोगिता परीक्षा द्वारा नियुक्ति) विनियम, 1955
19. भा० प्र० से० (पदोन्नति द्वारा नियुक्ति) विनियम, 1955
20. भा० प्र० से० (चयन द्वारा नियुक्ति) विनियम, 1956
21. भा० प्र० से० (परिबीक्षा) नियम, 1954
22. भा० प्र० से० (परिबीक्षाधीन व्यक्तियों की अन्तिम परीक्षा) विनियम, 1955

23. भा० प्र० से० (बेतन) नियम, 1954
24. भा० प्र० से० (ज्येष्ठता विनियमन) नियम, 1954

भाग-III भारतीय पुलिस सेवा पर लागू होने वाले नियम II

25. भा० पु० से० (काइर) नियम, 1954
26. भा० पु० से० (काइर सदस्य-संख्या का नियतन) विनियम, 1955
27. भा० पु० से० (भर्ती) नियम, 1954
28. भा० पु० से० (प्रतियोगिता परीक्षा द्वारा नियुक्ति) विनियम, 1955
29. भा० पु० से० (पदोन्नति द्वारा नियुक्ति) विनियम, 1955
30. भा० पु० से० (परिबीक्षा) नियम, 1954
31. भा० पु० से० (परिबीक्षाधीन व्यक्तियों की अन्तिम परीक्षा) विनियम, 1965

32. भा० पु० से० (बेतन) नियम, 1954
33. भा० पु० से० (ज्येष्ठता विनियमन) नियम, 1954
34. भा० पु० से० (वर्दी) नियम, 1954

भाग-IV भारतीय वन सेवा पर लागू होने वाले नियम।

35. भा० व० से० (काइर) नियम, 1966
36. भा० व० से० (काइर सदस्य संख्या का नियतन) विनियम, 1966
37. भा० व० से० (भर्ती) नियम, 1966
38. भा० व० से० (प्रारंभिक भर्ती) विनियम, 1966
39. भा० व० से० (प्रतियोगिता परीक्षा द्वारा नियुक्ति) विनियम, 1967
40. भा० व० से० (पदोन्नति द्वारा नियुक्ति) विनियम, 1966
41. भा० व० से० (परिबीक्षा) नियम, 1958
42. भा० व० से० (परिबीक्षाधीन व्यक्तियों की अन्तिम परीक्षा) विनियम, 1968
43. भा० व० से० (बेतन) नियम, 1968
44. भा० व० से० (ज्येष्ठता विनियमन) नियम, 1968

[सं० 11022/2/75-अ० भा० से०(1)]

एस० बी० एस० शुनेजा, संयुक्त सचिव

CABINET SECRETARIAT

(Department of Personnel & Administrative Reforms)

New Delhi, the 16th May, 1976

S.O. 1712.—In pursuance of the notification of the Government of India, in the Ministry of Home Affairs No. S.O. 452(E) dated the 26th August, 1975, the Central Government hereby appoints the 16th day of May, 1976, as the date on which the All India Services Act, 1951 and the rules and regulations made thereunder given in the schedule shall come into force in the State of Sikkim.

SCHEDULE**Part I—Rules common to all the All India Services**
Sl. No.

1. A.I.S. (Leave) Rules, 1955.
2. A.I.S. (Special Disability Leave) Regulations, 1957.
3. A.I.S. (Study Leave) Regulations, 1960.
4. A.I.S. (Medical Attendance) Rules, 1954.
5. A.I.S. (Provident Fund) Rules, 1955.
6. A.I.S. (Compensatory Allowance) Rules, 1954.
7. A.I.S. (Travelling Allowance) Rules, 1954.
8. A.I.S. (Conduct) Rules, 1968.
9. A.I.S. (Discipline and Appeal) Rules, 1969.
10. A.I.S. (Death-cum-Retirement Benefits) Rules, 1958.
11. A.I.S. (Commutation of Pension) Regulations, 1960.
12. A.I.S. (Condition of Service Residuary Matters) Rules, 1960.
13. A.I.S. (Overseas Pay, Passages and Leave Salary) Rules, 1957.
14. A.I.S. (Remittances into and Payments from Provident and Family Fund), Rules, 1958.

Part II—Rules applicable to the Indian Administrative Service

15. I.A.S. (Cadre) Rules, 1954.
16. I.A.S. (Fixation of Cadre Strength) Regulations, 1955.
17. I.A.S. (Recruitment) Rules, 1954.
18. I.A.S. (Appointment by Competitive Examination) Regulations, 1955.
19. I.A.S. (Appointment by Promotion) Regulations, 1955.
20. I.A.S. (Appointment by Selection) Regulations, 1956.
21. I.A.S. (Probation) Rules, 1954.
22. I.A.S. (Probationers' Final Examination) Regulations, 1955.

23. I.A.S. (Pay) Rules, 1954.

24. I.A.S. (Regulation of Seniority) Rules, 1954.

Part III—Rules applicable to the Indian Police Service

25. I.P.S. (Cadre) Rules, 1954.
26. I.P.S. (Fixation of Cadre Strength) Regulations, 1955.
27. I.P.S. (Recruitment) Rules, 1954.
28. I.P.S. (Appointment by Competitive Examination) Regulations, 1955.
29. I.P.S. (Appointment by Promotion) Regulations, 1955.
30. I.P.S. (Probation) Rules, 1954.
31. I.P.S. (Probationer's Final Examination) Regulations, 1965.
32. I.P.S. (Pay) Rules, 1954.
33. I.P.S. (Regulation of Seniority) Rules, 1954.
34. I.P.S. (Uniform) Rules, 1954.

Part IV—Rules applicable to the Indian Forest Service

35. I.F.S. (Cadre) Rules, 1966.
36. I.F.S. (Fixation of Cadre Strength) Regulations, 1966.
37. I.F.S. (Recruitment) Rules, 1966.
38. I.F.S. (Initial Recruitment) Regulations, 1966.
39. I.F.S. (Appointment by Competitive Examination) Regulations, 1967.
40. I.F.S. (Appointment by Promotion) Regulations, 1966.
41. I.F.S. (Probation) Rules, 1958.
42. I.F.S. (Probationers' Final Examination) Regulations, 1968.
43. I.F.S. (Pay) Rules, 1968.
44. I.F.S. (Regulation of Seniority) Rules, 1968.

[No. F. 11022/2/75-AIS(I)]

S. V. S. JUNEJA, Jt. Secy.

